

Kent Barney to be postmaster at Milford, N. Y., in place of Charles S. Barney, deceased.

Andrew B. Byrne to be postmaster at Hannibal, N. Y., in place of David Rothwell, deceased.

Margaret D. Cochrane to be postmaster at Bedford, N. Y., in place of Margaret D. Cochrane. Incumbent's commission expired April 19, 1914.

Bernard H. Cullen to be postmaster at Chester, N. Y., in place of George R. Vail. Incumbent's commission expired February 2, 1914.

William H. Davis to be postmaster at Altmar, N. Y. Office became presidential October 1, 1913.

Charles Fitzpatrick to be postmaster at Goshen, N. Y., in place of George L. Jackson. Incumbent's commission expired February 5, 1914.

Charles L. Goodell to be postmaster at Worcester, N. Y., in place of Alvin T. Smith. Incumbent's commission expired May 23, 1914.

Edward A. Gross to be postmaster at New City, N. Y., in place of Edward A. Gross. Incumbent's commission expired June 21, 1914.

Gilbert C. Higgins to be postmaster at Waverly, N. Y., in place of George D. Genung, removed.

Cort Kramer to be postmaster at Holland, N. Y., in place of Horace Selleck. Incumbent's commission expired December 21, 1913.

William McNeal to be postmaster at Montgomery, N. Y., in place of Frank T. Hadaway. Incumbent's commission expired February 21, 1914.

C. E. Miller to be postmaster at Moravia, N. Y., in place of W. J. H. Parker, removed.

Nathan D. Mills to be postmaster at Middletown, N. Y., in place of James F. Moore. Incumbent's commission expired January 20, 1914.

William H. Nearpass to be postmaster at Port Jervis, N. Y., in place of Thomas J. Quick. Incumbent's commission expired February 10, 1914.

Henry F. Pemberton to be postmaster at Central Valley, N. Y., in place of Henry D. Ford, removed.

Joseph T. Reidy to be postmaster at Morrisville, N. Y., in place of John H. Broad. Incumbent's commission expired June 6, 1904.

Alonzo G. Setter to be postmaster at Cattaraugus, N. Y., in place of Charles H. Rich. Incumbent's commission expired June 6, 1914.

Eugene J. Smith to be postmaster at Lyons, N. Y., in place of Edward Sautter. Incumbent's commission expired March 25, 1913.

Florence Williams to be postmaster at Bolivar, N. Y., in place of Bernard S. Dunn. Incumbent's commission expired May 23, 1914.

Henry J. Vollmar to be postmaster at Boonville, N. Y., in place of Fred M. Woolley. Incumbent's commission expired January 25, 1914.

NORTH DAKOTA.

Nellie Darcey to be postmaster at Fessenden, N. Dak., in place of Henry F. Speiser. Incumbent's commission expired May 31, 1914.

M. P. Morris to be postmaster at Jamestown, N. Dak., in place of J. J. Latta. Incumbent's commission expired April 29, 1914.

PENNSYLVANIA.

Josephine R. Callan to be postmaster at Cresson, Pa., in place of John F. Parrish. Incumbent's commission expired June 2, 1914.

George R. Hutchison to be postmaster at Alexandria, Pa. Office became presidential April 1, 1914.

SOUTH DAKOTA.

Martin M. Judge to be postmaster at Webster, S. Dak., in place of Charles W. Siglinger. Incumbent's commission expired June 25, 1914.

E. H. White to be postmaster at Castlewood, S. Dak., in place of William A. Carter, resigned.

TEXAS.

J. N. Worsham to be postmaster at Laredo, Tex., in place of Fred H. Ligarde. Incumbent's commission expired May 4, 1914.

VIRGINIA.

George C. Carter to be postmaster at Leesburg, Va., in place of L. Clark Hoge. Incumbent's commission expired April 20, 1914.

A. B. Dye to be postmaster at Honaker, Va., in place of J. W. Hubbard, resigned.

R. W. Ervin to be postmaster at Dante, Va., in place of Ora R. Evans, resigned.

Asa A. Ferguson to be postmaster at Lebanon, Va., in place of James A. Henritze. Incumbent's commission expired January 24, 1914.

C. P. Greever to be postmaster at Graham, Va., in place of H. C. Galloway. Incumbent's commission expired April 15, 1914.

C. F. Kitts to be postmaster at North Tazewell, Va., in place of Harvey F. Peery. Incumbent's commission expired April 21, 1914.

J. W. H. Lawford to be postmaster at Pocahontas, Va., in place of William L. Mustard, resigned.

WEST VIRGINIA.

W. N. Cole to be postmaster at Williamson, W. Va., in place of N. J. Keagle, removed.

William G. Williamson to be postmaster at Vivian, W. Va., in place of Samuel W. Patterson, resigned.

HOUSE OF REPRESENTATIVES.

MONDAY, August 17, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We come to Thee, O God, our refuge and our strength, knowing full well that each moment is a moment of probation, that each day is a day of judgment, and without Thine aid we shall fall in our duties. Help us therefore to resist evil, to cleave unto that which is good, that we may accomplish Thy commands in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, August 15, 1914, was read and approved.

OFFICE OF INFORMATION, DEPARTMENT OF AGRICULTURE.

Mr. LEVER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LEVER. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LEVER. This is unanimous-consent day; and the rule provides that, after the approval of the Journal, bills on the Unanimous Consent Calendar shall be called. I have a privileged resolution from the Committee on Agriculture. I desire to inquire if it would be in order to call up that resolution at this time?

The SPEAKER. Is the gentleman certain it is privileged?

Mr. LEVER. I am.

The SPEAKER. The Chair thinks it would be in order to call it up.

Mr. LEVER. Mr. Speaker, I call up the following privileged resolution (H. Rept. 1092).

The SPEAKER. The Clerk will report the resolution.

The Clerk read House resolution 573, requesting and directing the Secretary of Agriculture to give to the House full detailed information in regard to certain matters under the administration of the Department of Agriculture, as follows:

Resolved, That the Secretary of Agriculture be, and he hereby is, requested and directed to give to the House full detailed information in regard to the following matter:

First. Is there under the administration of the Department of Agriculture a press agency, or bureau of any kind or character, that is run for the purpose of preparing and giving out information for publication?

Second. Is not this bureau or agency known as the "office of information"? If not, what is the title by which it is known? How many persons are employed in this "office of information"? Give the name of each employee in the "office of information," the salary that he receives, and the roll upon which he is carried.

Third. State whether or not one George W. Whorton is employed in the Department of Agriculture; and if so, what are his duties and what salary does he receive and upon what pay roll is he carried? When did he receive this position, and how? Was he not in charge of this publicity work before he took the civil-service examination?

Fourth. Is one E. B. Mitchell employed in the Department of Agriculture? If so, what are his duties, what salary does he receive, and how did he secure his present position? Was he not appointed to a position and placed upon the pay roll of the department without civil-service examination?

Mr. LEVER. Mr. Speaker, I understand the gentleman from Washington [Mr. HUMPHREY], who is the author of the resolution, desires 10 minutes. I yield to the gentleman 10 minutes.

Mr. HUMPHREY of Washington. Mr. Speaker, I am glad that the committee have reported this resolution favorably. I trust there will be no opposition to its passage. In fact, it would be a public calamity, if not a tragedy, if it should fail to pass, because I understand that a report has already been prepared by Mr. Whorton, one of the gentlemen whose names are mentioned in the resolution. Of course, it will be entirely unprejudiced and complete, no doubt. I understand that in this

report that is to be made the gentleman passes somewhat lightly over the explanation as to how he got into his present position. The civil-service rules are not unduly magnified. He now receives a salary of some \$3,000 a year. But, Mr. Speaker, what I particularly desire to call to the attention of the House in regard to the resolution, and why I think it ought to be passed, is what I conceive to be an abuse that has grown up in this department, as well as in others, in regard to publicity. The gentlemen on that side of the aisle are as much interested in this proposition as we are, and perhaps more.

These publicity bureaus are constantly seeking more power and more money, new employment and new places for men, and then bringing outside influence and outside pressure here upon Congress for us to make appropriations in order that the work they suggest may be carried out.

I will mention one or two recent publications furnished by this particular publicity bureau. Recently they published a circular widely over this country of what they called a bird census. Of course they might as well have had a grasshopper census or a fly census or a mosquito census. That field is unlimited. Here is an opportunity to give unnumbered experts a place on the Government pay roll. It is true they claim that most of that information about the bird census was furnished them voluntarily; it certainly is worthless enough to be free. But the work of sending out 50,000 letters per day, distributing these bird-census publicity stories, was paid for by the Government, and the men employed in sending them out were paid by the Government. Then here a short time ago they had another article about the life of a milk bottle. Now, think what great public interest that has. Think of the ignorance that prevails in this country to-day about the life of a milk bottle. There are people to-day in this country that belong to good families, honest and God-fearing, that do not know how long the average milk bottle lives. Think of that. Who for \$100,000 per year would be denied this information, vital to the Nation's welfare? Of course the men that buy these bottles and use them do not know, so the salvation rests entirely with the Government expert. The Nation must have information on birds and bottles, even if it does have to employ 20 experts and pay \$100,000 annually. This is the character of some of the work that they are doing.

But that is only a minor matter compared to the one concerning which I spoke a moment ago. I want to give you an illustration along that line, of the real reason why I think the House ought to investigate and find out the facts; and I know that my distinguished friend [Mr. LEVER], the chairman of this Committee on Agriculture, is as much interested in this as I am, and more so, because he has to look after those appropriations. I hold in my hand one of their publicity documents that was sent out on July 21 last. It refers to the appointment of Mr. Franklin H. Smith, now statistician in the Forest Product Division in the Department of Agriculture, as commercial agent at \$3,000 a year in the Bureau of Foreign and Domestic Commerce, which appointment has been approved by the Secretary of Commerce, Mr. Redfield. It says:

DEPARTMENT OF COMMERCE,
Washington, July 21, 1914.

The appointment of Mr. Franklin H. Smith, now statistician in forest products in the Department of Agriculture, as commercial agent at \$3,000 in the Bureau of Foreign and Domestic Commerce has been approved by Secretary of Commerce Redfield. Mr. Smith is recommended by the Forest Service as admirably equipped with knowledge of market conditions and conditions in the lumber industry to make useful investigations for the Department of Commerce. It is proposed to send him to China, Japan, India, Australia, New Zealand, the Pacific Islands, and the East Indies to conduct lumber-market investigations, as it seems that those portions of the world offer the most attractive possible markets for lumber products.

Now, they say this man is a great expert. Who else ever said he was a great expert? He was an agent in the Forestry Service receiving \$900 a year. Now he suddenly becomes a great expert and his salary increased. He may be an expert. But suppose he is, why should the Government pay to advertise that fact to the world? We could all get a reputation if the Government would advertise us and permit nothing but what we prepared ourselves to be published about us. That bulletin is followed up by another, dated July 27, in which they set out in detail great necessity for investigation of the various lumber industries of the country. I did not select this one because it happened to be the lumber industry, but because it happened to be the one that came under my hand. It says:

WASHINGTON, July 27.

The plans now being perfected for the Forest Service part of the inquiry to be made jointly by the Departments of Commerce and Agriculture into timber and lumber trade conditions in the United States provide for covering entirely new ground.

Lumbermen are now admittedly conducting their operations with a large percentage of waste, said to be largely due to market conditions

which make close utilization unprofitable. There is no general agreement as to the actual causes of existing conditions and the responsibility for present undoubted evils. With rapidly diminishing supplies of timber to draw upon, wasteful lumbering has come to be recognized as a matter of serious public concern, and an inquiry to discover the causes and seek for possible remedies is regarded by Forest Service officials as an urgent need. It is believed that the lumber industry itself recognizes the need and will welcome an inquiry conducted along constructive lines.

This publication says that there is great necessity to employ a number of experts to investigate the lumber industry. Publicity, more experts, more money, more publicity, an endless chain that runs always through the Public Treasury. The result of it will be that they will be in here next year asking that Congress appropriate larger sums of money than ever before. The trouble about this publicity proposition is that they only publish one side, the side furnished by these great experts, and then the people believe that the Members of this House are not performing their public duty when they refuse to make appropriations to pay these experts. The experts get publicity only on one side, and that is the favorable side. The Members of this House have publicity, but it comes from both directions. They are both criticized and praised. As a result the impression is gradually gaining ground throughout this country to-day that the ability and the honesty of this country rest in its bureaus, and that whenever we refuse to make appropriations here we are failing in our duty; and, as I said a while ago, that side of the House is more interested in a thorough investigation of these agents at present than are we. This impression in regard to the bureau expert and of Congress is largely brought about by this constant publicity sent out by the departments. It is not fair to the people of the country. Through this advertisement the people have come largely to believe that the bureau chief is always a wise man, a great man, and a patriot, and that the Congressman that refuses to vote for any appropriation he asks is a petty politician.

Mr. MURDOCK. Will the gentleman yield for a minute?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Kansas [Mr. MURDOCK]?

Mr. HUMPHREY of Washington. If the gentleman will yield me a minute or two more if I need it.

Mr. LEVER. Mr. Speaker, I will say to the gentleman from Washington that this is unanimous-consent day, and I do not want to interfere with it.

Mr. HUMPHREY of Washington. I want only three or four minutes.

Mr. LEVER. I will take care of that.

Mr. MURDOCK. Mr. Speaker, I am confused in regard to this. The gentleman's resolution is an inquiry going to the existence of a publicity bureau in the Agricultural Department?

Mr. HUMPHREY of Washington. Yes.

Mr. MURDOCK. And this man Smith, of whom he speaks, is not in the department? Does the resolution go to the correction of the evil, so far as Smith is concerned, if it is an evil?

Mr. HUMPHREY of Washington. The gentleman is mistaken. He is in the Agricultural Department.

Mr. MURDOCK. I thought he had been transferred to the Department of Commerce.

Mr. HUMPHREY of Washington. Yes, now; but he was appointed from the Department of Agriculture. I am simply calling attention to the fact that they used this publicity department to advertise some man as a great expert, and then they come here, and we pay him an increased salary.

Mr. MURDOCK. Is it not true that if it had not been for this publicity bureau the gentleman would not have known of the instance of Smith?

Mr. HUMPHREY of Washington. That is true; I would not have known of it. But when I looked for Smith's record I find that the only place that he is considered an expert is by the particular people who want an increase in his salary; and that is followed up four or five days later by showing the great necessity for an investigation in other departments, and so they want more experts, and that will take more salary, and they will be here asking Congress to give it to them.

I want to call attention to another phase of this. I hold in my hand an editorial printed in the Washington Times of July 23, a column long, in which these press agents are upheld, intimating that I am lacking in patriotism because I have called for an investigation. Why should not this paper and the gentleman who wrote the editorial make such statements as that? If I am reliably informed one of the men who is connected with this paper, probably the very gentleman who wrote this editorial, in a single year has received over \$12,000 for publicity stuff that he has sent out, which was furnished to him by the publicity bureaus of the Government. Why should he not want this to go ahead? He is to be praised that he praises his friend, no man should smite the hand that feeds him. It is

profitable, and the whole thing just makes the circuit I mentioned a while ago. I quote from the editorial:

The department authorities will make no mistake if they go boldly to the defense of their publicity organization and methods. In fact, if they would frankly proclaim that they need more press agents, more money to pay them, the privilege of paying bigger salaries, they would make a fetching case.

A high official of that department, not now connected with it, once said that if he had any chance of getting Congress to allow it, he would pay the chief of his publicity service the same salary that the Secretary of Agriculture gets. He would do it, of course, only on condition of getting a man worth that salary; but he said he could find such a man, and that, having found him, he would make the investment return profits manifold in the usefulness of the department's work.

So that it all leads right in a circuit back to the National Treasury—the creation of public sentiment throughout the country, making the people believe that Congress is not performing its duty when it does not vote unlimited amounts of money to continue these investigations and to pay these so-called experts, that they may furnish profitable publicity stories to their newspaper friends, who will, of course, then defend them in any demands on Congress. It is beautiful and it is profitable and it works.

Mr. MURDOCK. Before the gentleman sits down I would like to ask him a question.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. MURDOCK. I will ask the gentleman from South Carolina to yield him one minute.

Mr. LEVER. Mr. Speaker, I yield the gentleman one minute more.

Mr. MURDOCK. Mr. Speaker, I think the gentleman is leaving an impression that he did not intend to leave in the latter part of his remarks. He says some writer on the Times has made \$12,000 in one year.

Mr. HUMPHREY of Washington. I mean Mr. Judson Welliver.

Mr. MURDOCK. The gentleman does not mean to say that Mr. Judson Welliver or anyone else on the Times has drawn from the Treasury of the United States \$12,000 a year?

Mr. HUMPHREY of Washington. No; and I did not say anything of the kind. I said if I was correctly informed, and I believe that I am, Mr. Judson Welliver in a single year received over \$12,000 from articles that he furnished to the press, and he received the information from the publicity bureaus of the various departments.

Mr. MURDOCK. If he did any such thing, the gentleman ought to say also that it was a perfectly legitimate earning on the part of Mr. Judson Welliver.

Mr. HUMPHREY of Washington. It is perfectly legitimate earning on his part, perhaps, but here is the result of it coming back, defending these publicity agents and saying that we ought to have more, so that they can furnish more news to newspaper correspondents in order that they may sell it to the press. Mr. Welliver's action in defending his friends is not only legitimate but shows his gratitude.

Mr. MURDOCK. The gentleman does not undertake to say that a newspaper man has not the right to get information from a bureau, put it into readable form, and sell it as syndicate matter?

Mr. HUMPHREY of Washington. No; but I undertake to say that this Government ought not to pay men in the departments to create publicity articles to furnish to newspaper men to sell to the press.

Mr. MURDOCK. That is the gentleman's opinion. The Government is not hurt by more publicity. The gentleman's chief item of complaint this morning was made possible because the Government had a bureau of publicity.

Mr. HUMPHREY of Washington. If the gentleman wants to defend a bird and grasshopper census, he is the proper man to do so. They will probably be making one in his State before long.

Mr. LEVER. Mr. Speaker, the adoption of this resolution has been unanimously recommended by the Committee on Agriculture. The committee does not believe that the Department of Agriculture has any facts which it desires to conceal. I therefore move the adoption of the resolution.

Mr. FOWLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOWLER. Has the time arrived to offer an amendment to the resolution?

The SPEAKER. It has.

Mr. FOWLER. Then I offer the following amendment, which I send to the Clerk's desk.

Mr. MANN. The gentleman can not do it unless the gentleman from South Carolina yields the floor.

Mr. LEVER. I yield to the gentleman.

The Clerk read as follows:

Add at the end of line 8, on page 2, the following:

"Is this press bureau being now used or has it been heretofore used for private interests, either directly or indirectly?"

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3023. An act relating to the duties of registers of United States land offices and the publication in newspapers of official land office notices;

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. S. Howell;

S. 4891. An act to provide for the purchase and equipment of a mine rescue car, and for other purposes;

S. 587. An act relating to the disposal of coal and mineral deposits in Indian lands;

S. 3002. An act making appropriations for expenses incurred under the treaty of Washington;

S. 4857. An act for the relief of the St. Croix Chippewa Indians of Wisconsin;

S. 5036. An act authorizing the Shoshone Tribe of Indians, residing on the Wind River Reservation in Wyoming, to submit claims to the Court of Claims;

S. 5392. An act to provide for carrying into effect the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians;

S. 146. An act for the relief of Aaron Kibler;

S. 5526. An act to amend an act entitled, "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes;

S. 740. An act to promote and encourage the construction of wagon roads over the public lands of the United States;

S. 4283. An act for the relief of James B. Smock;

S. 3890. An act to provide for the acquiring of additional lands by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes;

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908;

S. 2518. An act granting to the town of Nevada, Colo., the right to purchase certain lands for the protection of water supply;

S. J. Res. 92. Joint resolution authorizing the governor of any State to loan to military colleges and schools within his State such tents and camp equipage as have been issued or shall be issued to the State by the United States under the provisions of existing laws;

S. 5525. An act to authorize the President to appoint Maj. William O. Owen, United States Army, retired, a colonel on the active list of the Army;

S. 784. An act to place Lieut. Col. Junius L. Powell on the retired list of the Army with the rank of brigadier general;

S. 1174. An act for the relief of William Walters, alias Joshua Brown;

S. 5634. An act for the relief of Oliver C. Rice;

S. 1231. An act for the relief of Lemuel H. Redd;

S. 5977. An act to authorize Bryan Henry and Albert Henry to construct a bridge across a slough which is a part of the Tennessee River, near Guntersville, Ala.;

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.;

S. J. Res. 136. Joint resolution to authorize the appointment of Charles August Meyer as a cadet at the United States Military Academy;

S. J. Res. 137. Joint resolution to reinstate Clifford Hildebrandt Tate as a cadet at the United States Military Academy;

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff;

S. 5630. An act for the erection of a public building at Dallas, Tex.;

S. 2692. An act authorizing the Secretary of the Interior to sell all unsold lots in the town site of Plummer, Kootenai County, Idaho, and for other purposes;

S. 2616. An act to promote the efficiency of the Public Health Service;

S. 2353. An act to authorize the President to appoint Col. James W. Pope, Assistant Quartermaster General, to the grade of brigadier general in the United States Army and place him on the retired list;

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia;

S. 5705. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Elsie McCaulley from Glenwood Cemetery, D. C., to Philadelphia, Pa.;

S. 5028. An act for the relief of Harry T. Herring;

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 6162. An act authorizing issuance of patent for certain lands to Thomas L. Griffiths;

S. 2668. An act for the relief of Martha Hazelwood;

S. 5695. An act for the relief of the Southern Transportation Co.;

S. 3107. An act for the relief of John E. Johnson;

S. 5970. An act for the relief of Isaac Bethurum;

S. 4256. An act to provide for the acquisition of a site and the erection of a public building thereon at Tonopah, Nev.;

S. 3561. An act to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the United States Navy;

S. 5113. An act for increase of cost of a site for a post-office building in the city of Rockingham, N. C.; and

S. 3663. An act for the relief of Rezin Hammond.

The message also announced that the Senate had passed without amendment bills and joint resolutions of the following titles:

H. R. 14404. An act for the relief of E. F. Anderson;

H. R. 14405. An act for the relief of C. F. Jackson;

H. J. Res. 295. Joint resolution authorizing the Secretary of War to return to the State of Louisiana the original ordinance of secession adopted by said State;

H. R. 10460. An act for the relief of Mary Cornick;

H. R. 14679. An act for the relief of Clarence L. George;

H. R. 9829. An act authorizing the Secretary of the Interior to sell certain unused remnant lands to the Board of County Commissioners of Caddo County, Okla., for fair-ground and park purposes;

H. R. 13965. An act to refund to the Sparrow Gravelly Tobacco Co. the sum of \$176.99, the same having been erroneously paid by them to the Government of the United States;

H. R. 16205. An act for the relief of David Smith;

H. R. 10765. An act granting a patent to George M. Van Leuven for the northeast quarter of section 18, township 17 north, range 19 east, Black Hills meridian, South Dakota;

H. R. 1528. An act for the relief of T. A. Roseberry;

H. R. 17045. An act for the relief of William L. Wallis;

H. R. 16431. An act to validate the homestead entry of William H. Miller;

H. R. 12463. An act to authorize the withdrawal of lands on the Quinalt Reservation, in the State of Washington, for lighthouse purposes;

H. R. 1516. An act for the relief of Thomas F. Howell;

H. R. 16476. An act authorizing the Secretary of the Interior to issue patent to the city of Susanville, in Lassen County, Cal., for certain lands, and for other purposes;

H. J. Res. 249. Joint resolution for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission;

H. R. 13717. An act to provide for leave of absence for homestead entrymen in one or two periods;

H. R. 6609. An act for the relief of Arthur E. Rump;

H. R. 11765. An act to perfect the title to land belonging to the M. Forster Real Estate Co., of St. Louis, Mo.;

H. R. 6420. An act for the relief of Ella M. Ewart;

H. R. 3920. An act for the relief of William E. Murray;

H. R. 2728. An act for the relief of George P. Heard;

H. R. 13415. An act to increase the limit of cost of public building at Shelbyville, Tenn.;

H. R. 816. An act for the relief of Abraham Hoover; and

H. R. 12844. An act for the relief of Spencer Roberts, a member of the Metropolitan police force of the District of Columbia.

The message also announced that the Senate had passed with amendments a bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 6282. An act to provide for the registration of with collectors of internal revenue and to impose a special tax upon all persons who produce, import, manufacture, compound, deal

in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia; to the Committee on Interstate and Foreign Commerce.

S. 4256. An act to provide for the acquisition of a site and the erection of a public building thereon at Tonopah, Nev.; to the Committee on Public Buildings and Grounds.

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. S. Howell; to the Committee on Claims.

S. 4891. An act to provide for the purchase and equipment of a mine rescue car, and for other purposes; to the Committee on Mines and Mining.

S. 587. An act relating to the disposal of coal and mineral deposits in Indian lands; to the Committee on Indian Affairs.

S. 3002. An act making appropriations for expenses incurred under the treaty of Washington; to the Committee on Foreign Affairs.

S. 4857. An act for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Indian Affairs.

S. 5036. An act authorizing the Shoshone tribe of Indians residing on the Wind River Reservation in Wyoming to submit claims to the Court of Claims; to the Committee on Indian Affairs.

S. 5392. An act to provide for carrying into effect the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians; to the Committee on Indian Affairs.

S. 146. An act for the relief of Aaron Kibler; to the Committee on Military Affairs.

S. 740. An act to promote and encourage the construction of wagon roads over the public lands of the United States; to the Committee on the Public Lands.

S. 5526. An act to amend an act entitled "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes"; to the Committee on the Public Lands.

S. 3899. An act to provide for the acquiring of additional lands by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes; to the Committee on Indian Affairs.

S. 2518. An act granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply; to the Committee on the Public Lands.

S. J. Res. 92. Joint resolution authorizing the governor of any State to loan to military colleges and schools within his State such tents and camp equipage as have been issued or shall be issued to the State by the United States under the provisions of existing laws; to the Committee on Military Affairs.

S. 5525. An act to authorize the President to appoint Maj. William O. Owen, United States Army retired, a colonel on the active list of the Army; to the Committee on Military Affairs.

S. 2353. An act to authorize the President to appoint Col. James W. Pope, Assistant Quartermaster General, to the grade of brigadier general in the United States Army, and place him on the retired list; to the Committee on Military Affairs.

S. 784. An act to place Lieut. Col. Junius L. Powell on the retired list of the Army with the rank of brigadier general; to the Committee on Military Affairs.

S. 1174. An act for the relief of William Walters, alias Joshua Brown; to the Committee on Military Affairs.

S. 5684. An act for the relief of Oliver C. Rice; to the Committee on Military Affairs.

S. 1231. An act for the relief of Lemuel H. Redd; to the Committee on Military Affairs.

S. J. Res. 136. Joint resolution to authorize the appointment of Charles August Meyer as a cadet at the United States Military Academy; to the Committee on Military Affairs.

S. J. Res. 137. Joint resolution to reinstate Clifford Hildebrandt Tate as a cadet at the United States Military Academy; to the Committee on Military Affairs.

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.; to the Committee on Public Buildings and Grounds.

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff; to the Committee on the Public Lands.

S. 5630. An act for the erection of a public building at Dallas, Tex.; to the Committee on Public Buildings and Grounds.

S. 2692. An act authorizing the Secretary of the Interior to sell all unsold lots in the town site of Plummer, Kootenai County, Idaho, and for other purposes; to the Committee on the Public Lands.

S. 5705. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Elsie McCauley from Glenwood Cemetery, D. C., to Philadelphia, Pa.; to the Committee on the District of Columbia.

S. 5028. An act for the relief of Harry T. Herring; to the Committee on Military Affairs.

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; to the Committee on Indian Affairs.

S. 6162. An act authorizing issuance of patent for certain lands to Thomas L. Griffiths; to the Committee on the Public Lands.

S. 2668. An act for the relief of Martha Hazelwood; to the Committee on Indian Affairs.

S. 5695. An act for the relief of the Southern Transportation Co.; to the Committee on Claims.

S. 5113. An act for increase of cost of a site for a post-office building in the city of Rockingham, N. C.; to the Committee on Public Buildings and Grounds.

S. 3663. An act for the relief of Rezin Hammond; to the Committee on Military Affairs.

S. 3107. An act for the relief of John E. Johnson; to the Committee on Military Affairs.

S. 5970. An act for the relief of Isaac Bethurum; to the Committee on Military Affairs.

S. 3023. An act relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices; to the Committee on the Public Lands.

S. 4288. An act for the relief of James B. Smock; to the Committee on Military Affairs.

S. J. Res. 65. Joint resolution to amend S. J. Res. 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States;" to the Committee on War Claims.

RIVER AND HARBOR APPROPRIATIONS.

Mr. LIEB. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. LIEB. Mr. Speaker, I may not be able to finish in 10 minutes, and I would like to have permission to extend my remarks.

The SPEAKER. Is there objection?

Mr. WEBB. Mr. Speaker, reserving the right to object, can not the gentleman use only 5 minutes and then extend his remarks?

Mr. LIEB. Oh, I would like to have 10 minutes.

The SPEAKER. Is there objection to the gentleman from Indiana addressing the House for 10 minutes? [After a pause.] The Chair hears none.

Mr. LIEB. Mr. Speaker, for a long and uninterrupted period Congress has been authorizing improvements of rivers and harbors. Some of the projects included in the river and harbor appropriation bill now pending are the result of years and years of discussion, debate, and careful deliberation. These navigation projects are so well known, have been so carefully planned, and the benefits to be eventually derived are so self-evident that no one can deny that the essential provisions of the bill are so important that the very prosperity of a large portion of our country is at stake the minute we hesitate in our program.

And yet hesitation has come. There are many wavering. Opposition has been raised in the Senate after the House, knowing no party lines in the consideration of this legislation, has passed the measure practically without opposition.

I would like to call attention to the fact that the Democratic platform of 1912 came out in unequivocal language in favor of the continuation of the improvement of our waterways. I quote from the platform of the Baltimore convention:

Water furnishes the cheaper means of transportation, and the National Government, having the control of navigable waters, should improve them to their fullest capacity. We earnestly favor the immediate

adoption of a liberal and comprehensive plan for improving every watercourse in the Union which is justified by the needs of commerce.

So there is no Democrat who is within my hearing who can deny that we are pledged to lend our support to the program of river and harbor improvement. While it is true that the Democratic House has passed the appropriation bill, there is danger that the Democratic Senate will allow the legislation to drift on to another session. While the blame is primarily with the opposition party on the other side of the Capitol, yet the responsibility must be assumed from a moral and party standpoint by the Democratic Senators whose party platform points in but one direction, namely, the continuation of a well-defined program for the improvement of waterways. I might also add that the platforms of other political parties came out in strong terms in favor of river and harbor improvement.

I say, it will be a monumental outrage if certain opponents of the bill are allowed to carry out their ambitions of wrecking what to my mind is the most important measure before the present Congress, with the possible exception of one or two other bills which our platform stands for.

EYES OF 15,000,000 ON CONGRESS.

While I speak to you as a member of the Rivers and Harbors Committee, and am ready to defend my attitude on any item of the appropriation bill, I will in the course of my remarks to-day touch more particularly upon the situation in the Ohio Valley, as the people of my district, along with about 15,000,000 other people, are the direct beneficiaries of Ohio River improvement. For the past several months I have made it a part of my business to ascertain the true sentiments of the people of my district with reference to what has been done in Washington by the Democratic administration. I have been struck and impressed by the general commendation of the people of the essential acts of the Sixty-third Congress. The people as a whole seem to be satisfied and as content with conditions as at any time since the masses began to demand economic reform as a result of oppression. In the Middle West we feel business depression or prosperity as quick as in any section of the country, and our status in this respect can nearly always be taken as a barometer of future business aspects over our now prosperous land. With our factories now running full time and with business at a high ebb in general, my people at home now have all eyes turned to Congress on account of the danger of failure of the rivers and harbors appropriation bill.

Business men and the people in general feel that the entire Ohio Valley will feel the injurious effect of suspension of improvement for a 9-foot stage from Pittsburgh to Cairo. What I mean by a suspension can be more vividly expressed by stating that there are 17 locks and dams under course of construction on the Ohio River, a majority of which are not yet half completed. If the pending appropriation bill does not pass this Congress, work on these improvements will be most seriously hampered, and if the suspension is only a few months there is a precedent set which some may take advantage of for future suspension of the plan for the canalization of the entire river. It would be a blotch upon the pages of our transportation history to change our program, not only in regard to the Ohio River but other streams of water which we are proud to call our free highways of commerce.

When we speak of encouraging commerce we should not lose sight of the fact that we have spent millions for the construction of the Panama Canal in order that our commerce and trade channels might be stimulated. When we go without the boundary lines of the States to provide for an outlet to the Pacific Ocean, and then fail to continue our policy of building up our avenues of water commerce within our boundaries, we commit an offense to our industries and business institutions.

OHIO RIVER AS GREAT AN ASSET AS PANAMA CANAL.

Some people might have an idea that a comparison of the Ohio River with the Panama Canal is incongruous. But I want to state that there is practically as much commerce on the Ohio River at the present time as there will be on the Panama Canal when it is in full operation. There were 9,814,123 tons of freight floated on the Ohio River last year, while it is estimated that the Panama Canal will carry from ten to twelve millions annually—American tonnage, coastwise, foreign, all combined. When it comes to comparison with all the navigable rivers appropriated for in the pending rivers and harbors bill, the Panama Canal is insignificant in consideration of the freight tonnage figures. The rivers appropriated for in this bill last year floated 369,000,000 tons. In other words, the rivers for which we wish to provide in this bill carry more than thirty times as much freight as will the Panama Canal. In one year these rivers float more tonnage than the Panama Canal will in the

next 30 years, based on the present estimate of commerce on the canal.

Now, in speaking of the commerce on the Ohio River, I think I can say without contradiction that when the Federal Government has completed its system of canalization so that navigation can be had the year round there will be a marked increase in freight shipments. The Panama Canal itself will be the goal and is the goal for shipping from the Ohio River and Valley. Industry will be greatly stimulated in the Middle West, and already the people are getting ready to reap rich benefits from the use of the canal. The benefits that have come with the completion of each movable dam on the Ohio accrue to every mine and factory in the valley.

INDUSTRIAL GROWTH FOLLOWS RIVER IMPROVEMENT.

I believe that one of the strongest arguments in favor of the early completion of a 9-foot stage of the Ohio River is the immense industrial benefits that will be enjoyed by the great Ohio Valley as a direct result thereof; and, of course, an era of unprecedented commercial prosperity will not only be of a permanent nature, but it will be felt with good effect by the entire country.

For the past several years the section known as the lower Ohio Valley has been enjoying a new era of prosperity, and this can be attributed to nothing else than the expectation of future benefits of the canalization of the river, which will afford a dependable outlet to the Gulf of Mexico and the Pacific Ocean as well, through the Panama Canal.

If anyone thinks I may be misrepresenting the conditions as to the great industrial impetus that has taken hold of the Ohio Valley since the people began to believe that the Federal Government was in earnest in the plan to afford a 9-foot stage from Pittsburgh to Cairo I will show that person some interesting figures regarding the three largest cities on the Ohio River below Pittsburgh. These cities—Cincinnati, Louisville, and Evansville—have grown faster in the last 5 years than they did in the whole preceding 10 years. The best barometer in judging these conditions of growth is by the building operations. Therefore I give the records, which speak for themselves:

Evansville building operations for two 5-year periods, showing gain of 87 per cent.

1904	\$402,000
1905	598,000
1906	1,048,000
1907	1,077,000
1908	833,000
Total, 5 years	3,958,000

1909	753,000
1910	1,317,010
1911	2,007,040
1912	1,530,872
1913	1,786,216

Total, 5 years..... 7,394,138

Gain, 1909 to 1913, inclusive, over 1904 to 1908, inclusive, 87 per cent.

Cincinnati building operations for two five-year periods, showing gain of 29 per cent.

1904	\$6,335,280
1905	9,709,300
1906	6,097,676
1907	7,695,200
1908	6,420,373

Total, five years..... 36,257,829

1909	7,941,159
1910	8,053,010
1911	13,481,320
1912	8,986,315
1913	8,338,327

Total, five years..... 46,800,130

Gain, 1909 to 1913, inclusive, over 1904 to 1908, inclusive, 29 per cent.

Louisville building operations for two five-year periods, showing gain of 47 per cent.

1904	\$2,335,980
1905	4,506,390
1906	5,105,881
1907	3,032,574
1908	2,914,141

Total, five years..... 17,894,976

1909	3,172,311
1910	3,780,002
1911	6,207,972
1912	6,556,004
1913	6,610,670

Total, five years..... 26,326,959

Gain, 1909 to 1913, inclusive, over 1904 to 1908, inclusive, 47 per cent.

Building operations at Cincinnati, Louisville, and Evansville, collectively.

Three cities, 1909 to 1913, inclusive	\$80,521,227
Three cities, 1904 to 1908, inclusive	58,110,805

Gain in last 5-year period..... 22,410,422
Or 38.5 per cent.

The growth of these cities is but a criterion of how the entire Ohio Valley is awakened to the possibilities of a 9-foot stage. Everywhere are signs of unprecedented activity.

COMMISSION WOULD SIDETRACK PENDING WORK.

An amusing aspect of the efforts of the opposition to sidetrack the rivers and harbors bill is the amendment introduced which would provide for the appointment of a commission to be known as the river regulation commission, with the alleged object of investigating questions relating to the development, improvement, regulation, and control of navigation. Gentlemen, we do not wish to surrender the rights of our Constitution or to delay legislation by the creation of a commission as a cowardly subterfuge to evade responsibility. The people selected this Congress to legislate, not to procrastinate. This amendment providing for a river regulation commission should be renamed a bill to allow Congress to abrogate its constitutional functions. Members of Congress are elected to represent their particular districts. They keep in touch with the conditions at home. So it is that every Representative and Senator is given the privilege—and the privilege is usually asserted—to state the needs of the respective localities to the committee which has the particular business at hand. In this way the committee is enabled to separate the good from the bad.

Now, the bill which was reported out to the House by the Committee on Rivers and Harbors, was as fair as could be demanded. Absolutely no partiality was shown. Each item was thoroughly considered, after receiving exhaustive reports from the Board of Engineers of the War Department, and there is no item that is indefensible. There is not a man on the committee who is not willing to cooperate in this statement. I do not speak without personal knowledge of conditions when I say the deliberations or findings of the committee have never been interspersed with political influence nor could they be regarded in the light of a so-called "pork barrel." The procedure has been simple and open and above board. The Army engineers who reported on each item are as competent, or more competent, than any similar set of men that could be mustered together. No matter what project they reported on after making exhaustive surveys and investigations that project would not receive the O. K. of the committee without first being recommended by the engineers. Does anyone question the competence of the engineers? Does anyone question the integrity or knowledge of conditions as to river improvements of any member of the committee?

RIVER-REGULATION COMMISSION A PORK BARREL.

Now, speaking of "pork barrel" and economy, what is the proposed amendment for the creation of a river-regulation commission but a "pork barrel"? It proposes to take a cold half million dollars out of the United States Treasury in order to give the commission several years in which to study the question. In the meantime a lot of the contractors on the thirty-odd locks and dams on the Ohio River, and the scores of contractors on other rivers and harbors, would be financially ruined, the people along the rivers would become disheartened, industries would be idle, and millions of people would suffer, either directly or indirectly, while the commission was endeavoring to study a new question to most of them, which is an old question to Congress.

No Member can dodge this issue of a commission. It is an old war cry of a certain political party.

It is to the interest of everyone to know that the Federal Government has in the last 45 years spent over \$7,000,000 of the people's money in unjust taxation on commissions.

I herewith submit the cost of the various commissions:

From 1870 to 1875, inclusive	\$715,375
From 1876 to 1881	812,231
From 1882 to 1887	1,249,159
From 1888 to 1898	1,203,156
From 1899 to 1910	2,770,390

In order to give you a fair idea of the great waste of money on commissions appointed by authorization of Congress, I herewith give a statement of disbursements on account of the various commissions of the Government from 1899 to 1910:

Industrial Commission (tariff and trusts)	\$323,233
Postal Service Commission	22,000
Canadian Commission	49,000
International Prison Commission	23,439
Bering Sea Commission	700
Commission on Grants of Land in New Mexico	9,994
California Debris Commission	150,284
Merchant Marine Commission	16,838

Coal Strike Commission	\$51,000
Extension of Capitol Commission	12,400
International Commission on Navigation	17,822
Printing Investigation Commission	16,436
National Monetary Commission	145,115
Immigration Commission (partly estimated)	851,175
Second Class Mail Commission	10,534
Commission on Business Methods in Post Office Department	78,206
Bonding Companies Commission	10,000
St. Johns River Commission	5,000
Jamestown Tercentennial Commission	32,766
National Waterways Commission	30,000
International Waterways Commission	73,528
Appropriation for Tariff Board:	
To June 30, 1911	250,000
To June 30, 1912	400,000
Appropriation for Commission on Change of Methods of Transacting Public Business:	
To 1911	100,000
To 1912	100,000
Fine Arts Commission	10,000

MOST COMMISSIONS ARE WORTHLESS.

I say a great majority of these commissions were without pecuniary benefit to the Nation. The reports of a great many of them could have been taken out of some encyclopedia without the useless expense to the taxpayers of the Nation of thousands of dollars for all the actual investigating some of the commissions did. Many of these commissions which finally did report to Congress, after everybody had forgotten that they were in existence, had their recommendations turned down. Out of 23 commissions that have been authorized since 1899, only three or four of the schemes recommended by these commissions have been adopted or enacted into a law.

I think it is time to call a halt in the procedure of appointing commissions for the mere purpose of satisfying the personal whims of a few who see this opportunity to prolong their official lives by becoming members of the river regulation commission. I do not wish to be construed as saying that any particular person has kindled his ambitions for the sake of winding up his official career in a blaze of glory. But if there is any person cherishing such an outcome of the pending appropriation bill, I think it is time for Congress to ponder seriously before changing a definite program in order to encourage a mania for commissions. The mania should be crushed, the sick men thus afflicted should be nursed to a complete recovery, and Congress would begin to get rid of the shackles of the alleged faith-healing commissions.

SOME HAVE HOBBY OF SERVING ON COMMISSIONS.

It has been said that if you desire many things, many things seem but a few, and so we might apply this saying to those who persistently relish the savor of commission membership. I have taken the trouble to make some inquiries on the subject, and I find some interesting facts which appear in the CONGRESSIONAL RECORD. I find that one Member of Congress has already served on at least three commissions. I cite this to you as an example of the extent to which the commission idea can become a fad. The records which I refer to show that this one distinguished gentleman had the distinction of serving on the following commissions:

National Monetary Commission, Inland Waterways Commission, and National Waterways Commission.

Commissions can become so popular in the minds of some that one commission can offer an excuse for the formation of a succeeding commission. Now, following this line of thought, is it beyond the possibility of reason that this proposed river regulation commission would wind up its report with a recommendation that another commission be formed appropriating some more of the Government's millions of currency? As a matter of fact, this very thing was done by the Inland Waterways Commission, one of the commissions above referred to. When the Inland Waterways Commission made its report on May 26, 1908, it recommended the appointment of another commission, which was later authorized in accordance with the recommendation, and was known as the National Waterways Commission. It will be noted upon perusal of the CONGRESSIONAL RECORD that another distinguished Member of Congress, who, by the way, is the author of the amendment recently introduced in the Senate to authorize the river regulation commission, was also a member of the Inland Waterways Commission.

So we can not deny that commission can suggest commission and that mania for creation of commissions can develop into more mania for creation of commissions. Gentlemen, I say if passion drives let reason hold the reins.

I want to read to you an extract from the report of the Inland Waterways Commission:

We recommend a commission to continue the investigation of all questions relating to the development and improvement and utilization of the inland waterways of the country and the conservation of its natural resources related thereto, and to consider and coordinate therewith all matters of irrigation, swamp and overflow land reclamation,

clarification and purification of streams, prevention of soil waste, utilization of water power, preservation and extension of forests, regulation and control of flows of floods, transfer facilities and sites and the regulation and control thereof, and the relations between waterways and railways, and that the commission be empowered to frame and recommend plans for developing the waterways and utilizing the waters, and, as authorized by Congress, to carry out the same, through established agencies when such are available, in cooperation with States, municipalities, communities, corporations, and individuals, in such a manner as to secure an equitable distribution of costs and benefits.

Now, this commission was appointed as recommended. They made their report; and I do not dispute the fact that they went into the matter thoroughly.

THE PROPOSED AMENDMENT.

Yet this proposed Senate amendment, devised for the purpose of postponing an appropriation for the rivers and harbors solely, as introduced the other day, contains practically the same wording as the report I have taken from the CONGRESSIONAL RECORD. To show you the marked similarity I will read you the amendment introduced by Senator NEWLANDS:

That a commission, to be known as the river regulation commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, two Members of the Senate, to be selected by the President of the Senate, and two Members of the House of Representatives, to be selected by the Speaker, is hereby created and authorized to investigate questions relating to the development, improvement, regulation, and control of navigation as part of interstate and foreign commerce, including therein the related questions of irrigation, forestry, fisheries, swamp-land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil waste, cooperation of railways and waterways, and promotion of transfer facilities and sites, and to formulate, if practicable, and to report to the Congress, comprehensive plans for the development of the waterways and water resources of the country for every useful purpose through cooperation between the United States and the several States, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, assigning to the United States such portion of such development, promotion, regulation, and control, if any, as can be properly undertaken by the United States by virtue of its power to regulate interstate and foreign commerce by reason of its proprietary interest in the public domain; and to States, municipalities, communities, corporations, and individuals such portion, if any, as properly belongs to their jurisdiction, rights, and interests, with a view to properly apportioning costs and benefits, and with a view to so uniting the plans and works of the United States within its jurisdiction, and of the States and municipalities, respectively, within their jurisdictions, and of corporations, communities, and individuals within their respective powers and rights, as to secure the highest development and utilization of the waterways and water resources of the United States. Such river regulation commission is authorized, for the purpose of said investigation and report, to bring into coordination and cooperation with the Corps of Engineers of the Army, as a board or boards, the other scientific or constructive services of the United States that relate to the study, development, and control of waterways and water resources and subjects related thereto, and to the development and regulation of interstate and foreign commerce, and to consider as a part of its study of a comprehensive plan the continuance of such a board or of such boards, with a view to keeping such services in coordination and cooperation; and such river regulation commission is authorized to appoint as members of such board or boards such engineers, transportation experts, experts in water development, constructors, and other employees as it may be advisable to appoint and employ in connection with the investigation and the formation of plans herein authorized, and to lease offices. And for the expenses of such investigation, organization, and formulation of plans the sum of \$500,000 is hereby appropriated.

Is it economy to suggest the expenditure of more than half a million dollars for this commission, when the provisions are the same in many identical respects as those by which a former commission was guided? Is this commission business going on forever? If we should be so weak as to authorize such a commission, does anyone think that the commission would be able to complete its work with an appropriation of \$500,000?

WOULD THROW \$500,000 TO THE WINDS.

There is another phase of this question of economy I would like to mention. Suppose, for instance, that I owned a big string of factories for which I was building large additions. Suppose I was cramped for space and general facilities, and my business was suffering every day because of a lack of operating space. Suppose in the midst of my building operations, with the work about half completed, I would suddenly call a halt to building construction, and, to the amazement of my engineers and advisers, say to a half dozen men picked at random, "Here, go and spend \$500,000; do what you please with the money, and then bring back a report in writing of what you find out." In the meantime I would be realizing nothing on the investment I had already made on building construction; I would be unable to fill orders for want of facilities to meet the demand of increased business. How long would I last in the business world through such a folly? Is the great work of river and harbor improvement a plaything or a business? Do we want to do in Congress what we would not do if it were our own private business, instead of being the public's business?

Now, the provisions of this amendment for the formation of a commission call for the employment of all kinds of experts. I say most emphatically that the Government has had all the

experts that were necessary to carry on river and harbor improvement. Our Corps of Engineers in the War Department are fully equipped, and all men of very extensive talents. You might search the whole world and not do any better.

PARTICIPATION OF COMPETENT CORPS OF ENGINEERS.

The part taken by the engineers of the Army should be too well known to render the enumeration of same necessary; but for the benefit of those who persist in alluding to the appropriation bill as a "pork barrel," when they seemingly do not appreciate that everything is now done absolutely open and above-board, I quote you the act of June 13, 1902:

That there shall be organized in the office of the Chief of Engineers of the United States Army, by detail from time to time, from the Corps of Engineers, a board of five engineer officers, whose duties shall be fixed by the Chief of Engineers, and to whom shall be referred for consideration and recommendation, in addition to any other duties assigned, so far as in the opinion of the Chief of Engineers may be necessary, all reports upon examinations and surveys provided for by Congress, and all projects or changes in projects for works of river and harbor improvement heretofore or hereafter provided for; and the board shall submit to the Chief of Engineers as to the desirability of commencing or continuing any and all improvements upon which reports are required. And in the consideration of such works and projects the board shall have in view the amount and character of commerce existing or reasonably prospective which will be benefited by the improvement, and the relation of the ultimate cost of such work, both as to the cost of construction and maintenance, to the public commercial interests involved, and the public necessity for work and propriety of its construction, continuance, or maintenance at the expense of the United States; and such consideration shall be given as time permits to such works as have heretofore been provided for by Congress, the same as in the case of new works proposed. The board shall, when it considers the same necessary and with the sanction and under orders from the Chief of Engineers, make, as a board or through its members, personal examinations of localities; and all facts, information, and arguments which are presented to the board for its consideration in connection with any matter referred to it by the Chief of Engineers shall be reduced to and submitted in writing and made a part of the records of the office of the Chief of Engineers. It shall further be the duty of said board, upon a request transmitted to the Chief of Engineers by the Committee on Rivers and Harbors of the House of Representatives or the committee on Commerce of the Senate, in the same manner to examine and report, through the Chief of Engineers, upon any projects heretofore adopted by the Government or upon which appropriations have been made, and report upon the desirability of continuing the same, or upon any modifications thereof which may be deemed desirable.

The engineers are really the fountainhead of the entire system of river and harbor improvements, and the provisions of the above act which I have just referred to make them so. Furthermore, these engineers are not appointed through political influence. They are the honor men of West Point. In other words, the very cream of the Army Academy graduates make up the corps which have so much to do with the system.

Mr. SPARKMAN, chairman of the Rivers and Harbors Committee, is authority for the statement that three-fourths of the proposed improvements of navigable streams have been completed. Since we have gone so far, it should be our pride and ambition to complete the other fourth as rapidly as possible.

OHIO RIVER RIVER OF ALL RIVERS.

The Ohio River improvements are slightly less than half completed, and this stream should be given especial attention in view of its great importance. While on this subject I wish to quote to you portions of a report made by the Board of Engineers for Rivers and Harbors, which emphasizes the importance of the Ohio. After referring to the recommendations for the improvement of the Ohio River by locks and movable dams so as to secure a depth of 9 feet as a project worthy of being undertaken by the United States, the engineers say:

In making this recommendation the board realizes that it is suggesting a plan for river improvement on a scale not hitherto attempted in this country, but it believes that there will probably be in the near future a popular demand for the improvement of several streams on such a scale. On account of the large commercial development of its shores and its connection with the lower Mississippi, now maintained in a navigable condition, the Ohio River is, in the opinion of the board, the one river of all others most likely to justify such work. Furthermore, it should be noted that by authorizing the construction for 9-foot navigation of 14 locks at various parts of the river Congress has already practically entered upon such a system of improvement.

This report was made October 18, 1907. Since that time 17 locks and dams on the river have been started, and if no hindrance is placed in the passage of the appropriation bills every lock and dam needed to assure a navigable stage on the river the year round, from Pittsburgh to the mouth, will have been started by the year 1920.

LETTERS FROM EVANSVILLE BUSINESS FIRMS.

I wish to read three letters to the River and Harbor Committee received from representative business firms of Evansville, the second city in population in Indiana, and the fourth along the Ohio River:

[Letter of the Southern Stove Works, of Evansville, Ind.]

We are large shippers by water from Evansville, and it is a serious question with us very frequently to use that highway, because in low stage of water we are unable to ship goods by river, lose business

thereby, as we are obliged to ship them all by rail at an increased freight rate, and our business has been seriously injured by the fact that during so many months of the year we are unable to avail ourselves of river shipments by reason of the low stage of water, and we earnestly beg you to do all you can to increase that stage of water by action of Congress.

[Letter of the Standard Brick Manufacturing Co., of Evansville, Ind.] We are very glad to see that prospects are becoming brighter for an improved river, and that we may be hopeful that the day is not far distant when the Government will recognize its importance to this district and will come to our rescue.

As to significance of this proposition as it relates to our industry, permit us to call your attention to the fact that the high freight rates on the railroads limit our selling territory to less than 100 miles, and wherever a point can be reached by river we can get a much lower transportation charge by water. Now, it so happens that always when the building season is at its highest point the water in the river is at the lowest, and, in fact, during the summer months, the time when we have to depend upon placing our output, the river has been so low that it was unsafe to start off a barge load of brick, and no boatman could be induced to undertake it.

Until such time as that a 9-foot stage is given us we will be deprived of a lot of business, and many people in the surrounding territory who have no railroad connections will be seriously handicapped in building operations during the best time of the year, or if they succeed in getting their material over the railroad are obliged to pay much higher transportation charges.

[Letter of the L. Gans Co., wholesale dry goods, of Evansville, Ind.]

We write this letter to emphasize the great needs for navigable stage of the Ohio River, such as the Ohio Valley Improvement Association is laboring so incessantly to accomplish. We, of course, write from our standpoint here in Evansville.

Every year navigation closes for several months, and many towns far away from railroads that run out of Evansville turn their trade away to other cities; in many instances some of our customers order by rail, the nearest station to them, but in every instance we have to divide the cost of freight; thus, it is expensive to us, yet we are forced to do so to hold the trade.

Two years ago we made a shipment amounting to over \$100; goods were put off at a certain landing, but on account of the low water the boat was naturally irregular in reaching said landing. In consequence, our customer was not at the landing when boat reached there; however, the goods were put off at our risk and were stolen.

If we had a good stage, boats could run regularly and there would be no risks to assume, because parties could be on hand at such landings to take charge of goods. We also find that our trade order all their goods by river, even where railroads touch those places, on account of the cheaper rates.

When the river gets real low, permitting only small craft like gasoline boats to navigate, we frequently haul goods to the wharf, but have to haul it back again, as the small boats can only carry so much. This improvement of our river does not mean a benefit to Evansville only, but the whole country is interested. Shipments from northern cities for points on Green River come to Evansville, but are delayed until sufficient water will permit larger boats to carry goods.

Locks and dams on Green River make that stream navigable at all times, yet two years ago we could not even ship to points on Green River owing to the extreme low stage in front of Evansville. We consider that the improvement of our rivers is as important as the Panama Canal.

DEVELOPMENT OF WATERWAYS AND NAVIGATION.

A better idea of the importance of the Ohio River is gained from the following extract from the report of the examination of the Ohio River, as made by the Board of Engineers of the War Department:

The waterways connecting the Great Lakes have enormously developed in the past 10 years, but the railways have reaped the benefits. Neither the Canadian canals down the St. Lawrence River nor the Erie Canal across New York State have responded to the growth of the Lake commerce. The success of the Great Lakes as a means of transportation has not resulted from competition between the great systems of transportation and outside parties, but from the utilization of the waterway by the railroads themselves, which have expended millions of dollars to improve their terminal facilities and have established the large fleets which navigate the Lakes.

But the great cause of the failure of waterways as a means of transportation in the United States is that they heretofore have not generally followed a commercial route, but have led from nowhere to no place. The river systems of the country flow generally in a southerly direction, while the trend of commerce has been east and west. Until within the last 10 years a railroad running north and south was generally a financial failure. River systems have followed the same laws; their commerce has been confined to the products on their immediate banks, and that of not sufficient amount to justify their permanent improvement.

The board is of the opinion that conditions are exceptionally favorable for the future development of commerce on the Ohio River. The river now maintains a traffic of over 9,000,000 tons in competition with railroads. This commerce appears to be slowly increasing, and its growth appears principally in other products than coal.

Pittsburgh is the center of vast manufacturing industries, and is rapidly developing. Within the Pittsburgh district are located 324 factories having water communication either by the Allegheny, Monongahela, or Ohio Rivers, and which can as readily ship by water as by rail. The freight entering and departing from this district by river and rail in 1896 was estimated at 60,000,000 tons, and in 1906 at from 115,000,000 to 122,000,000 tons. At Pittsburgh, among the principal manufactured articles are iron and steel ingots, billets, blooms, boilers, structural steel and iron, steel rails, and other material which at other localities become the raw material of their factories. Such items require cheap transportation, and will seek a water route if assured of certainty of delivery. Large manufacturing centers also exist at Wheeling, Ironton and other points on the river. Cincinnati, Louisville, and Evansville are business centers of great activity, and a rapid commercial growth is occurring at St. Louis, Memphis, New Orleans, and other localities on the Mississippi River. The distances between these localities are sufficiently great to justify a transfer in transit even at considerable expense.

The board believes that a large commerce is reasonably prospective if these commercial centers are connected by a waterway which will permit the certainty of transportation which is found on existing railroads and that this certainty will be attained by the works proposed in the report.

The General Government has expended large sums in improving the various tributaries of the Ohio. The utility of these improvements is dependent on the navigability of the main stream. The proposed improvement of the Ohio River will create a vast system of water communication penetrating one of the most populous and prosperous sections of the United States. Even in its unimproved condition the river has a marked effect on rail freight rates, the cheap rates quoted in the report as prevailing between New Orleans and Louisville, Cincinnati, and Pittsburgh being directly traceable to its influence. Its effect on rail freight rates will be greatly increased if the proposed improvements are carried out.

For these reasons the board is of the opinion that the improvement of the Ohio River by locks and movable dams so as to secure a depth of 9 feet, as recommended in the report of the special board, is worthy of being undertaken by the United States.

In making this recommendation the board realizes that it is suggesting a plan for river improvement on a scale not hitherto attempted in this country, but it believes that there will probably be in the near future a popular demand for the improvement of several streams on such a scale. On account of the large commercial development of its connection with the lower Mississippi now maintained in a navigable condition the Ohio River is, in the opinion of the board, the one river of all others most likely to justify such work. Furthermore, it should be noted that by authorizing the construction for 9-foot navigation of 14 locks at various parts of the river Congress has already practically entered upon such a system of improvement.

ADVANTAGE OF WATER OVER RAIL TRANSPORTATION.

One important difference between transportation by rail and by water lies in the control of the highway. The railroad itself is an essential part of the outfit of the railroad company. Conditions peculiar to river traffic seem to make it necessary for the same authority which directs the movement of trains to control the roadway. Often one railroad company uses a part of the tracks of another, but such use is regularly the result of mutual agreement. Waterways, on the other hand, are maintained and controlled by an authority entirely distinct from that which directs the movement of the boats. The Federal Government has control of the navigable waters of the United States and prescribes regulations for their use. A navigable water is a public thoroughfare—as free to all persons as is a country road or a city street—and subject only to the regulations prescribed by the National Government.

With these natural resources we should never show the least disposition to discourage improvements that will benefit commerce. The Department of Agriculture is authority for the statement that one of the greatest hindrances to the growth of river traffic in the Mississippi Valley has been and is low water. I quote from the Agricultural Yearbook:

The low-water seasons do not come at regular intervals and are not uniform in length. The uncertainty of river service has been one of the influences diverting to railroads all but a very small fraction of the carrying trade of the valley.

Some of the rivers of this region are more favored than others in regard to navigable water, but even the Mississippi itself sometimes fails to give free passage to traffic. One barge fleet in the grain service about 1900 or 1901 is said to have consumed nearly two months in making the round trip between St. Louis and New Orleans. The regular time was about one week. Regularity of navigation on the Mississippi and its large tributaries for towboats and barges such as were used a few years ago between St. Louis and New Orleans would add greatly to the transportation facilities of the Central States. Even a larger load could be carried on a tow on these streams than is now carried by one of the largest freight steamers on the Great Lakes. Many smaller streams of the valley could be made highways for the regular movement of farm produce and other freight if the channels were kept navigable throughout most of the year. The interruption in winter on account of ice, occurring each year at about the same season, would not be a serious drawback. Irregularity of seasons of navigation is and has been one of the most serious obstacles to water transportation on these rivers.

Where navigation is regular, as on the Great Lakes and a number of tidal waterways along the seacoasts of the United States, boat traffic has continued to grow in spite of increased railroad facilities. But on our greatest river system, with its thousands of miles of steamboat routes, conditions are in striking contrast with the marvelous development in other phases of commercial life.

It is to be understood that in some instances improvements of river channels are costly, and some work is done only to be destroyed by the next flood. This is not true of all such work by any means. The great amount of service already rendered to freight traffic on inland waterways by wise improvements has much of promise for the future.

A SECTION RICH IN MANUFACTURING, MINING, AND FARMING.

I hardly think there is a congressional district in the United States with a city of 100,000 population within its borders that is richer in manufacturing, mining, and farming than the district I have the honor to represent, considering the three important items as a whole.

In manufacturing Indiana is excelled by but few States, and the city of Evansville is second in industrial importance in the State, ranking next to Indianapolis.

In agriculture our district abounds and it is my purpose to point out to you just why we take great pride in our importance in that respect.

In mining we occupy a position as the hub of a section of the United States, which, including 24 counties within a radius of 100 miles of Evansville produce the enormous amount of almost 25,000,000 tons of coal per annum.

So, with these three important essentials of production; with 15 railroads and traction lines traversing every section of our district and plying in every direction of the compass, and with the mighty Ohio River to carry the products of the manufacturing establishment and the farm; and last but not least, situated as we are within a few miles of the center of population of the United States, I defy any person to dispute that our future can be painted with a rosy tint.

One could hardly be too emphatic in setting out the agricultural importance of the first district of Indiana. Corn is grown on nine-tenths of the farms; winter wheat is raised on about half the farms, and the city of Evansville is known as the greatest winter-wheat market in the United States. Fruit growing finds a most important place. Ninety per cent of our farms report domestic animals. Eighty-nine per cent have dairy cows. Meat production goes hand in hand with the corn production. A large share of our corn crop is marketed through cattle and hogs.

There are no cheap lands. Markets, transportation, population, and prices for farm products have placed a high price on every acre.

GIBSON COUNTY.

Gibson County is one of the leading agricultural counties of the State. Fruit is grown on a large scale, and I am told there is no county in Indiana which produces more apples. It has extensive coal beds with three veins of good coal. Oil and gas have been found in paying quantities.

POSEY COUNTY.

Posey County has no superior in the production of melons, and hundreds upon hundreds of carloads of these are shipped out every summer; it annually produces the largest yield of wheat of any county in Indiana, is fourth in the State in the production of berries, and the State statistician gives us figures which show that this county leads the State in having the largest number of mules on hand.

PIKE COUNTY.

Pike County is rich in bituminous ore deposits, most of the land being underlaid with fine workable veins of from 4 to 9 feet in thickness, producing almost one-third of all the coal mined in the first district. It is rich in fertile lands and one of the most important counties of southwestern Indiana.

SPENCER COUNTY.

Spencer County takes a front rank in the raising of wheat and corn. Tobacco is grown in great abundance. Coal is also mined in this county, and it has the combined essentials of production to make it rank as one of the very highest counties in Indiana in a varied way.

WARRICK COUNTY.

Warrick County ranks as the second county in the State in the production of tobacco, and with Spencer County the first district has two counties producing more tobacco annually than any other congressional district in Indiana. Warrick has four railroad lines bisecting it. The farmers are rich and prosperous. There are only four counties in Indiana which produce more coal than Warrick County.

VANDERBURG COUNTY.

While Vanderburg County has a city of 100,000 population within its boundaries it does not take an insignificant rank in respect to its agricultural products. It produces a large amount of wheat and corn, ranks tenth in Indiana in the production of berries, and fourth in the State in yield of apples.

HUB OF MOST PRODUCTIVE COAL SECTION IN WORLD.

Taking Evansville as the pivotal point, because it is the largest city in the first district and occupies a splendid location on the Ohio River along with other excellent transportation facilities, I herewith present a table computed from figures furnished by the United States Geological Survey, showing the amount of coal produced annually within a radius of 100 miles of Evansville:

	Tons.
South of Evansville, 11 counties-----	7,160,541
East of Evansville, 4 counties-----	1,563,192
North of Evansville, 5 counties-----	8,796,890
West of Evansville, 4 counties-----	4,598,951
Total, 24 counties-----	22,119,574

I want to say in further emphasis, and to indicate conclusively that our importance as a coal center is not in the least exaggerated, that in that comparatively small stretch of land above referred to—approximately 200 miles square—is mined

as much coal annually as in any State of the Union barring only the output of three States. Judging this coal section, with Evansville as the undisputed center, by the number of square miles, we are not surpassed by any other section of the country.

THE CITY OF EVANSVILLE.

Evansville is the leading city of our district, is the second city in Indiana in population, and is the fourth largest city on the Ohio River, ranking next in importance to Pittsburgh, Cincinnati, and Louisville. There is no other city on the river that is even one-fourth as large as Evansville. This city has often been referred to as the "second Pittsburgh," and some are inclined to believe that the time is not far away when Evansville will equal Pittsburgh in manufacturing importance. No city of its size, or larger, in the United States has a better natural location. It is on the most direct line from the North to the South; is the natural gateway to the South; the greatest volume of traffic, both freight and passenger, from the Lakes to the Gulf and the southeastern coast and in the reverse direction passes through its portals.

RIVER LINES.

Evansville's location on the Ohio River has been the principal medium by which it has attained prominence as one of the best manufacturing cities in the Central West. Six steamboat lines make Evansville their home port, and by these lines all the towns and cities located on the Ohio, Green, Cumberland, and Tennessee Rivers and the greater part of the Mississippi River can be reached. It is the consensus of opinion of rivermen that, with the general improvement of the Ohio River to the 9-foot stage, already begun, and the completion of the Panama Canal, river traffic, which has deteriorated in the last 15 or 20 years because of the inroads of railway lines, will be revived and the activity that characterized the Ohio River in former years will return. As a distributing point, because of our excellent transportation facilities by rail and water, Evansville is unexcelled.

EVANSVILLE CHEAP SOFT-COAL MARKET.

That Evansville is one of the cheapest soft-coal markets on earth is undeniable. Within the corporate limits of the city alone there are 5 mines and within a radius of 54 miles there are approximately 60 mines. The freight rate from the most distant mine to Evansville is but 50 cents per ton for delivery at industries located on railroad tracks. This condition makes it possible for manufacturers to obtain steam coal at as low a cost as at any other city on earth.

BANKING FACILITIES.

Evansville has 13 banks and trust companies, with total resources of approximately \$27,000,000, so ably managed that there has never been a failure. At the close of 1913 Evansville ranked sixty-second among 134 of the largest cities of the country in bank clearings, and in population it was eightieth, in accordance with the United States census of 1910, which was 69,647. Based on the city directory for 1913, the population is 89,105.

The bank clearings of 1913, as compared with those of 1903, showed a gain of 122 per cent.

The clearings for 1913 were \$129,075,478.

The clearings for 1903 were \$57,091,041.

The following comparative statement of the bank clearings of cities of about the same rank as Evansville clearly attests the claim that this city, in proportion to population, is among the best commercial and manufacturing centers in the United States.

City.	Population, United States, census 1910.	Clearings, 1913.	Rank.	
			Popula- tion.	Clear- ings.
Akron, Ohio.....	69,667	\$96,120,000	81	75
Canton, Ohio.....	50,217	77,722,808	109	89
Dayton, Ohio.....	116,777	122,982,479	65	65
Erie, Pa.....	66,526	55,564,121	85	99
Fort Wayne, Ind.....	63,933	65,002,707	89	91
South Bend, Ind.....	55,684	27,388,009	100	116
Terre Haute, Ind.....	48,157	50,000,000	93	103
Youngstown, Ohio.....	79,066	82,978,542	67	84
Oklahoma City, Okla.....	64,205	91,900,000	87	77
Evansville, Ind.....	69,647	129,075,478	80	62

EVANSVILLE AS A MANUFACTURING CITY.

As a manufacturing city Evansville holds high rank, especially in the Central West. The 400 factories manufacture greatly diversified products, and in some of them Evansville is in the front rank, notably in the production of furniture,

flour, stoves, plows, brooms, lumber, buggies, beer, steam shovels, pottery, and locomotive headlights.

The average number of wage earners employed in the factories of Evansville is 12,000; the average value of products is \$27,000,000 annually; the amount of capital invested is \$24,500,000.

An inexhaustible supply of coal, practical freedom from industrial strife, and an excellent supply of labor, together with reasonable freight rates and splendid transportation facilities by rail and river, make Evansville an unsurpassed location for manufactories of all kinds.

So it is that with bright prospects in the lower Ohio Valley, with a river which is a greater asset than the Panama Canal, with our natural advantages second to none in the entire world, with producing powers unsurpassed, the people of our district and adjoining districts are entitled to the benefits of every dollar that the Government can appropriate to make the Ohio River a perpetual avenue of navigation.

In closing I want to state that Congress will never regret its support of the just measure which is now pending. Nor can any kind of criticism detract from the merits of the program for river and harbor improvement. We have gone three-fourths of the way, the experimental stage has been passed, and it is not for us to falter or turn back when the great goal is so near after a century of propagation. [Applause.]

APPENDIX A.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 29, 1914.

Hon. CHARLES LIEB,

United States House of Representatives.

SIR: The list of locks and dams in the Ohio River improvement which you left at this office has been checked as requested. It will be noted that under a slight modification of the project Dam No. 42 has been eliminated, and it is possible that Dam No. 40 will also be eliminated some time in the future. The information available in this office is not sufficient to check the name of the town or place near which each dam is to be located. Corrections to the list are indicated by pencil notes, green ink notations, and pasted slip.

Very respectfully,

DAN C. KINGMAN,
Chief of Engineers, United States Army.

(One inclosure.)

Memorandum in re Ohio River locks and dams.

1. Statement of funds on hand June 30, 1914.	Balance un- expended.	Outstand- ing liabil- ities.	Uncom- pleted contracts.	Balance available.
Lock and Dam No. 7.....	\$109,192	\$3,208	\$39,476	\$66,508
Lock and Dam No. 9.....	87,981	2,998	36,413	48,570
Lock and Dam No. 10.....	67,727	60,341	323,038	(1)
Lock and Dam No. 11.....	44,178			44,178
Lock and Dam No. 12.....	191,516	908	94,800	95,807
Lock and Dam No. 14.....	284,836	1,174	242,686	40,976
Lock and Dam No. 15.....	153,529	2,490	100,619	50,413
Lock and Dam No. 16.....	270,415	1,207	257,765	11,412
Lock and Dam No. 17.....	250,555	659	238,252	11,744
Lock and Dam No. 19.....	194,400	1,077	113,218	80,105
Lock and Dam No. 20.....	294,726	861	226,469	68,395
Lock and Dam No. 24.....	221,113	1,282	214,977	4,853
Lock and Dam No. 26 ²	40,683	11,208	13,662	15,182
Lock and Dam No. 28 ²	130,339	40,880	85,888	3,591
Lock and Dam No. 29.....	212,445	562	215,970	(1)
Lock and Dam No. 31.....	226,367	593	255,975	(1)
Lock and Dam No. 35.....	208,828	611	11,078,895	(1)
Lock and Dam No. 39 ²	68,347	49,709	37,044	11,594
Lock and Dam No. 41.....	721,355	15,859	1,138,667	(1)
Lock and Dam No. 43 ²	353,658	54,102	87,349	251,607
Lock and Dam No. 48.....	121,461	33,838	1,418,171	(1)

¹ Locks and Dams Nos. 10, 29, 31, 35, 41, and 48 have contracts covered by authorizations already made and the funds will be provided by future sundry civil acts as needed.

² Dams being built by hired labor, all others under contract.

2. What will be done with funds carried by sundry civil bill?

The sundry civil act carries \$4,176,000. No allotment of these funds has been made as yet, so it is not possible to tell just how long they would enable the work to go on. All payments under existing contract obligations will have to be arranged for first, then the balance will be distributed among the dams being built by hired labor, so as to keep them going as long as practicable.

3. What work will be suspended if river and harbor bill fails to pass, and when?

Pittsburgh district.—No work affected by river and harbor bill.

Wheeling district.—All work on Dams Nos. 12, 14, 18, and 20 can continue if sundry civil act passes soon, but second contracts for movable parts, gates, etc., will be deferred. Dam No. 15 will be suspended in incomplete state January 1, 1915. Dam No. 28, hired-labor work will be suspended August 1, 1914, and Dam No. 26, September 1, 1914. Dams Nos. 21 and 22 can not be started as proposed. Dams Nos. 16, 17, and 24, work will not be interfered with.

Cincinnati district.—Dam No. 39 hired-labor work must suspend July 31, 1914; hired dredges on open-river work will have to be released September 1; contracts on Locks and Dams Nos. 29, 31, and 35 can continue if sundry civil act provides cash to cover contract authorizations.

Louisville district.—All continuing contract work provided for in sundry civil act; Dam No. 43, hired-labor work will suspend September 30, 1914.

OHIO RIVER—LOCKS AND DAMS.

Suspension of work by hired labor on this project will be necessary at an early day, as well as postponement of beginning construction of additional locks and dams, unless further appropriations are made available for the prosecution of this project, which is to be completed within a period of 12 years.

From memorandum showing present status of certain river and harbor works and condition at other localities in the event of the failure of the pending river and harbor bill.

OHIO RIVER—LOCKS AND DAMS.

Dams Nos. 12, 14, 19, and 20: Contracts for movable parts must be deferred.

Dam No. 15: Work suspended in incomplete state January 1.

Dam No. 26: Work suspended September 1.

Dam No. 28: Work suspended August 1.

Dams Nos. 21 and 22: Work can not be started.

Dam No. 43: Work will be suspended September 30.

APPENDIX B.

Ohio River tonnage—Calendar year 1913.
(Through lock and open river.)

	Tonnage.	Valuation.	Passengers.
Lock No. 1.....	1,982,257.5	\$3,720,794.36	86,518
Lock No. 8.....	224,080.5	1,095,665.92	5,005
Lock No. 18.....	374,945	2,836,645.31	9,421
Lock No. 26.....	796,629	2,926,918.65	17,266
Lock No. 37.....	1,988,434	9,953,466.24	104,078
Lock No. 41.....	1,537,146.5	6,318,567.53	11,767
Open river.....	1,509,111.5	14,088,452.70	1,086,897
Ferries.....	1,401,519.5	36,086,390.07	2,949,834
Total.....	9,814,123.5	77,026,901.78	4,270,786

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 28, 1914.

Hon. CHARLES LIEB,
United States House of Representatives.

SIR: 1. Referring to your recent inquiry in regard to commercial statistics of the Ohio River, I have the honor to inclose herewith a tabular statement of the commerce of the river for the calendar year 1913.

2. With reference to the method employed in the collection of commercial statistics of the Ohio River, the district officer at Cincinnati in a recent report stated as follows:

"Prior to 1912 the commercial statistics of the Ohio River were collected at the close of each calendar year from all boats plying on the Ohio River.

"In March, 1912, the Ohio River board took up the matter of collecting these statistics and decided that they should be collected at Dams Nos. 1, 8, 18, 26, 37, and 41. The reports are secured by the various lockmasters and sent to this office each month, where they are tabulated. In addition to these, an effort is made to secure reports from boats operating in pools between movable dams and not passing a lock and dam.

"Pursuant to this action of the Ohio River Board, authority was obtained for the printing of the form (E. D., 79009/45), a copy of which is inclosed herewith, and instructions issued for the collection of the statistics (copy herewith). The necessary stationery, supplies, etc., were furnished the different lockmasters in March, 1912, and the collection of the statistics was not commenced until April, 1912, it not being practicable to collect them for the months of January, February, and March, 1912.

"The aggregate tonnage of 8,618,369, short tons may possibly contain a duplication, but this is considered to be offset by the amount of freight not reported by a number of boats not reporting which do not pass a lock. It may be possible that there may be some duplication in the case of packet boats which are required to report at each lock, but as their traffic is local and they are constantly taking on and putting off freight, it is considered proper to give each lock credit for freight on board when passing through.

"It will be noted, however, that boats with through tows are required to report only at the first lock through which they pass. In some instances, however, this is not done until the next lock is passed, but, so far as known, there is no duplication in this respect.

"The tonnage reported as passing a given lock and dam includes that both through the lock and the navigable pass.

"In general it may be stated that the statistics collected of Ohio River traffic have been so unsatisfactory in the past that the Ohio River Board considered it advisable to take up the matter, and the above-described method is the result of their study. The statistics are tabulated and reported only by this office instead of by the various offices in charge of Ohio River works, as heretofore done. An exception is the case of Dam No. 41, Louisville, Ky., where statistics for fiscal year are collected. It was considered that it would be asking too much to require boats to report at each lock, and those selected are aimed to secure the traffic on the river, and particularly that coming from the various navigable tributaries."

3. There is also inclosed herewith a statement showing the status of the slack-water improvement of the Ohio River, April, 1914.

Very respectfully,

DAN C. KINGMAN,
Chief of Engineers, United States Army.

Mr. GOULDEN. Mr. Speaker, before my friend from Indiana takes his seat I desire to ask him a question.

Mr. LIEB. Certainly.

Mr. GOULDEN. As a member of the Committee on Rivers and Harbors of the House, can the gentleman give the House any information as to what progress the river and harbor bill is making at the other end of the Capitol?

Mr. LIEB. The bill is over there, and it seems like it is asleep. There is an amendment pending trying to put it to sleep, which proposes to create a commission to do away with the great work that is going on in various rivers and harbors, and should the amendment be passed in that shape many contractors who now have projects in course of construction throughout the country will be financially ruined.

Mr. GOULDEN. I thank the gentleman, and feel that it is a very serious matter. I think the bill ought to pass, and I trust the Senate will speedily pass it. Some of the unfounded charges occasionally heard as to this bill being a pork-barrel measure should not influence anyone. It is a just and honest bill, and I appreciate the efforts of the gentleman from Indiana [Mr. LIEB] in calling attention to this important matter.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the question on which I was speaking a moment ago.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks on the resolution passed a while ago. Is there objection? [After a pause.] The Chair hears none.

INCREASE IN PRICE OF ARTICLES OF FOOD, ETC.

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution relating to alleged boosting of prices of foodstuffs.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, requested to furnish to the House of Representatives information as to whether the prices of articles of food necessary to the health and well-being of the American people have been arbitrarily advanced in the home markets on the pretext that the high prices of such articles are the result of the European war.

Second. Whether the manipulation of values by speculators is resulting in unjust and unwarranted advances in the prices of foodstuffs in the United States.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MANN. Mr. Speaker, reserving the right to object, I did not hear the first part of the resolution. Does it provide for an investigation by the Department of Agriculture?

Mr. DONOHUE. That would be satisfactory to me, but it would not be to the other gentlemen who present the resolution.

Mr. MANN. Mr. Speaker, I object.

Mr. DONOHUE. Will the gentleman withhold his objection for a moment?

Mr. MANN. No; I will not.

UNANIMOUS-CONSENT CALENDAR.

Mr. TAYLOR of Colorado. Mr. Speaker, regular order.

The SPEAKER. The regular order is demanded and the Clerk will report the first bill on the Unanimous Consent Calendar.

EXCHANGE OF CERTAIN LANDS IN THE STATE OF OREGON.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10348) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

The Clerk read the title of the bill.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed by without prejudice.

The SPEAKER. The gentleman asks unanimous consent to pass the bill by without prejudice. Is there objection? [After a pause.] The Chair hears none.

KLAMATH INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10348) to amend an act entitled "An act to provide for the disposition and sale of lands known as the Klamath Indian Reservation," approved June 17, 1892.

The Clerk read the title of the bill.

Mr. BURKE of South Dakota. Mr. Speaker, the chairman of the Committee on Indian Affairs is not present and I do not see anybody from that committee, so therefore I ask unanimous consent that this bill be passed without prejudice.

Mr. RAKER. Before doing that, the gentleman has not any objection to the bill, has he?

Mr. BURKE of South Dakota. Not at all, but the Committee on Indian Affairs, or the chairman, was to report a substitute bill, and there has been no action by the committee, and therefore I ask unanimous consent that it may go over.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS MISSISSIPPI RIVER AT NEW ORLEANS, LA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16172) to give the consent of the Congress for the construction of a bridge across the Mississippi River at or near New Orleans, La.

The title of the bill was read.

The committee amendments were read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The bill will be stricken from the calendar.

RESTORATION OF HOMESTEAD RIGHTS IN CERTAIN CASES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15983) to restore homestead rights in certain cases.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—

Mr. FERRIS. Mr. Speaker, does the gentleman from Illinois have an amendment he would suggest which would be satisfactory to him? I had intended to consult with the gentleman for a week or two in reference to this matter.

Mr. MANN. I have not an amendment.

Mr. FERRIS. Will the gentleman have any objection to letting it be passed over?

Mr. MANN. I have no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that this bill retain its place on the calendar and be passed without prejudice.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

NINTH INTERNATIONAL CONGRESS OF THE WORLD'S PURITY FEDERATION.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 271) authorizing the President to appoint delegates to attend the Ninth International Congress of the World's Purity Federation, to be held in the city of San Francisco, State of California, July 18 to 24, 1915.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and respectfully requested to appoint delegates to attend and represent the United States at the Ninth International Congress of the World's Purity Federation, to be held in the city of San Francisco, State of California, July 18 to 24, 1915.

The committee amendment was read, as follows:

After the word "fifteen," at the end of line 8, add the following:

Provided, That no appropriation shall be granted at any time for expenses of delegates or for other expenses incurred in connection with said congress.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The committee amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HARRISON, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

The SPEAKER. The Chair requests Members who have already made up their minds to object to any one of these bills to object when the title is read. In that way business will be expedited very much.

FEDERAL BUILDING SITE, OLD TOWN, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4651) to authorize the Secretary of the Treasury to sell certain land to the trustees of the charity fund of Star in the East Lodge, of Old Town, Me.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to grant, relinquish, and convey, by quitclaim deed, for and in consideration of \$300 cash, to the trustees of the charity fund of Star in the East Lodge, a corporation duly existing under the laws of the State of Maine and having its principal place of business in Old Town, Penobscot County, Me., a certain portion of a lot of land situated in Old Town, county of Penobscot, State of Maine, acquired from Nellie E. St. Lawrence under decree of condemnation given by the circuit court of the United States for the first circuit, begun and held at Portland, within and for the district of Maine, on the third Thursday of September, to wit, the 21st day of September, 1909, as recorded in Penobscot registry of deeds, volume 810, page 196, described and bounded as follows: Begin at a bolt marking the northeast corner of the said Nellie E. St. Lawrence lot, thence along the west line of the Bangor & Aroostook Railroad location 82.89 feet to a bolt; thence in a westerly direction 30 feet to a bolt; thence in a southerly direction 10 feet to a bolt; thence in a westerly direction 7.09 feet to a bolt; thence in a northerly direction in a line which shall be a continuation of the east line of the lot of land also acquired from Fred E. Allen and Thomas Murphy by the said decree of condemnation first referred to, to the north line of the said Nellie E. St. Lawrence lot; thence along the said north line to the point of beginning, meaning to convey all of that portion of the Nellie E. St. Lawrence lot as lies east of a line drawn in continuation of the east line of the Fred E. Allen and Thomas Murphy lot from a bolt marking the northeast corner of the said Fred E. Allen and Thomas

Murphy lot to the north line of the said Nellie E. St. Lawrence lot, and to deposit the proceeds of such sale in the Treasury as a miscellaneous receipt.

The following committee amendments were read:

Page 1, line 5, strike out the figures "\$300" and insert in lieu thereof the words "46 cents per square foot."

Page 2, line 9, strike out all after the word "bolt," down to and including line 25, and insert in lieu thereof the words, "in the west line of the Bangor & Aroostook Railroad location, which bolt is located 61.39 feet from the bolt marking the northeast corner of the said Nellie E. St. Lawrence lot, thence along the said west line of the said Bangor & Aroostook Railroad location in a southerly direction about 21½ feet to a bolt marking the northeast corner of a lot of land owned by the trustees of the charity fund of Star in the East Lodge, Old Town, Me.; thence in a westerly direction, along the north line of said lot owned by the charity fund of Star in the East Lodge, 30 feet to a bolt; thence in a southerly direction 10 feet to a bolt; thence in a westerly direction 7.09 feet to a bolt; thence in a northerly direction in a line which shall be a continuation of the east line of the lot of land also acquired from Fred E. Allen and Thomas Murphy by the said decree of condemnation first referred to, about 30 feet to a bolt; thence in an easterly direction in a line parallel to the north line of the lot owned by the trustees of the charity fund of Star in the East Lodge, Old Town, to the point of beginning, containing 720.9 square feet, approximately, and to deposit the proceeds of such sale in the Treasury as a miscellaneous receipt."

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GUERNSEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

INCORPORATION OF LANDS IN PIKE NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15534) to reserve certain lands and to incorporate the same and make them a part of the Pike National Forest.

The Clerk proceeded with the reading of the bill.

During the reading,

Mr. TAYLOR of Colorado. Mr. Speaker, the Senate passed a duplicate of this bill, and it is on the calendar as No. 269. It is identical with this bill, and I would like to ask permission to have the Senate bill considered in place of the House bill. The House Committee on the Public Lands has reported the Senate bill to the House, and I have put it on the Unanimous Consent Calendar. It is identical with this bill, and incorporates some land and puts it into the Pike National Forest.

The SPEAKER. Which calendar number is it?

Mr. MANN. It is Union Calendar, No. 286.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to consider the bill S. 5198 in lieu of the bill which the Clerk was reading, being of similar tenor. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what is intended to be accomplished by this bill? As I recollect, my friend from Colorado [Mr. TAYLOR] has frequently entertained the House with very severe observations on the subject of the great amount of territory in Colorado which was embraced in forest reservations.

Mr. TAYLOR of Colorado. The gentleman is quite correct.

Mr. MANN. And he denounced the Government, and especially the eastern portion of the country, for having had this done. Now, the gentleman turns up with two bills to increase the national forests. Now, tell us why.

Mr. TAYLOR of Colorado. Well, I am frank to say that I very much disapprove of adding to forest reservations on general principles. Colorado is one of the six States in which no reserve can be added to without an act of Congress. About two years ago I had a bill to create for Denver a park embracing about 17,000 acres of Government land out in the foothills, 10 or 25 miles west of the city. The land is utterly worthless. It has some little scrub piñon and cedar trees on it, and is cut up with canyons mostly. It has laid there uncoupled for 50 years, with nobody desiring to take any of it, and they probably never will. But the city desired to build some automobile roads out through that territory and beautify and spend some money upon it, and I introduced a bill to grant this land to the city. I met with opposition in the House. Some Members thought it was too large, and then the city came and

asked the Forest Service if it would not approve of putting about half of this land into the forest reserve, and the Forest Service people are willing to take it. They say it will not add any more cost to the Government to supervise it. And so the city asked Senator THOMAS, of Colorado, and me to introduce these bills, putting a portion of this land into the Pike National Forest and selling the rest of it to the city. This bill puts about 7,000 acres of that land into the forest reserve. It is vacant land, and has no possibility of coal or oil or anything else on it.

I introduced this bill at the request of the city of Denver, waiving any natural sentiment I have in opposition to the general principle of withdrawing and hermetically sealing up from entry the public domain. But this land is so worthless that if the city will spend some money on it and utilize it, I am anxious to assist it in doing so. I am asking for this legislation to help make more attractive our beautiful capital city. That is my answer to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, this is a peculiar situation. For a number of years the gentlemen from Colorado, and other gentlemen in States similarly situated, have denounced in unmeasured language and in every form of the use of the English language they could conceive of, the establishment of these national forests, and have frequently called to the attention of Congress the fact that most of the land incorporated in the national forests would not grow trees. Frequently I have heard my distinguished friend from Colorado say that they covered desert territory in the forest land; that they can not grow a tree there. Yet, as time goes on even our friends from Colorado become converted to the idea of increasing the national forests by adding land to a national forest where the gentleman says a tree will not grow.

Mr. TAYLOR of Colorado. I did not say a tree would not grow on it. I said there was no timber or at least no appreciable amount of merchantable timber on it. That is what I meant. There are a few trees on some of it.

Mr. MANN. That is what the gentleman said.

Mr. TAYLOR of Colorado. The land can not be reforested, but it does have some trees on it.

Mr. MANN. So far as I am concerned, I have no objection to the General Government spending a little money to aid the city of Denver in making a beautiful piece of scenery.

Mr. TAYLOR of Colorado. The Government will not have to spend any money.

Mr. MANN. The Government will not have to spend any money, but of course it will.

Mr. TAYLOR of Colorado. The city will have to spend the money.

Mr. MANN. We have heard that before. We know the cities do not spend money in national forests to any extent. I am willing to have the Treasury help build an automobile road there in the hope that some of our friends now in Europe, who wish they had stayed in America, will in the future, when they want to make a trip, go out to Colorado and see beautiful scenery there—

Mr. TAYLOR of Colorado. I hope they will come.

Mr. MANN (continuing). Rather than go to the other side and see less beautiful scenery.

Mr. TAYLOR of Colorado. I will say this to the gentleman from Illinois, that my objection has always been to putting into the forest reserves lands that are agricultural or grazing lands and that would make homes for people. This is not that character of land.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. STAFFORD. What is the request, Mr. Speaker? Simply to have the Senate bill read instead of the House bill?

Mr. TAYLOR of Colorado. To have the Senate bill considered in place of my House bill, H. R. 15534, which is a duplicate of it and they are both on this calendar.

Mr. STAFFORD. I will reserve the right to object to the passage of the Senate bill, but I do not object to its consideration.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That all lands in the State of Colorado, herein-after described, to wit:

In township 5 south, range 71 west, sixth principal meridian: West half of southwest quarter, section 20; southeast quarter of northeast quarter, east half of southeast quarter, northwest quarter of southwest quarter, section 28; east half of southeast quarter, southwest quarter of southeast quarter, section 29; west half of northeast quarter, southeast quarter of northeast quarter, southeast quarter, south half of

southwest quarter, section 31; northeast quarter, west half of southeast quarter, southeast quarter of southeast quarter, south half of northwest quarter, northeast quarter of northwest quarter, southwest quarter, section 32.

In township 6 south, range 71 west, sixth principal meridian: North half of northwest quarter, section 5; west half of northeast quarter, west half of southeast quarter, east half of northwest quarter, northwest quarter of northwest quarter, east half of southwest quarter, section 6; northwest quarter of northeast quarter, northeast quarter of northwest quarter, section 7.

In township 4 south, range 72 west, sixth principal meridian: Southeast quarter of northeast quarter, southeast quarter, south half of lots 2 and 3, southwest quarter, including lots 4, 5, and 6, section 19; south half of southwest quarter, section 20; west half of southwest quarter, section 29; south half of southeast quarter, north half of lot 1, all of lots 2, 3, and 4, north half of lot 5, south half of lot 6, section 30; south half of lot 2, all of lot 3, section 31.

In township 5 south, range 72 west, sixth principal meridian: Northeast quarter of northeast quarter, south half of northeast quarter, southeast quarter, southeast quarter of northwest quarter, east half of southwest quarter, section 21; south half of northeast quarter, south half of southwest quarter, west half of southwest quarter, northeast quarter of southwest quarter, section 22; west half of southeast quarter, east half of southwest quarter, northwest quarter of southwest quarter, section 23; south half of northeast quarter, northwest quarter of northeast quarter, southeast quarter, east half of northwest quarter, southwest quarter of northeast quarter, southwest quarter, section 26; southeast quarter of northeast quarter, southeast quarter of southeast quarter, northwest quarter of northwest quarter, northeast quarter of southwest quarter, section 27; south half of northeast quarter, northwest quarter of northeast quarter, northwest quarter, section 28; northeast quarter, section 29; north half of northeast quarter, section 34; west half of northwest quarter, north half of southwest quarter, section 35.

In township 6 south, range 72 west, sixth principal meridian: Lot 1, lot 2, lot 6, northeast quarter of southeast quarter, southwest quarter of southeast quarter, lot 3, lot 4, lot 5, lot 8, west half of southwest quarter, southeast quarter of southwest quarter, section 1; east half of lot 6, all of lot 7, lot 8, southwest quarter, section 2; lot 10, southeast quarter, east half of lot 9, southwest quarter, section 3; northeast quarter, southeast quarter, northwest quarter, north half of southwest quarter, southeast quarter of southwest quarter, section 10; all of section 11; west half of northeast quarter, southeast quarter, northwest quarter, southwest quarter, section 12; north half of northeast quarter, southwest quarter of northeast quarter, northwest quarter, southwest quarter, section 13; southeast quarter, northwest quarter, northwest quarter of southwest quarter, section 14; north half of northeast quarter, northeast quarter of northwest quarter, section 15.

In township 4 south, range 73 west, sixth principal meridian: South half of northeast quarter, northeast quarter of northeast quarter, southeast quarter, east half of northwest quarter, east half of southwest quarter, section 24; total, 9,680 acres, more or less; be, and the same are hereby, reserved subject to all prior valid rights and made a part of any included in the Pike National Forest.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I notice that as the bill was originally introduced, these lands were to be withdrawn from entry, but the committee struck out that provision and placed them in the same category as other lands in the forest reserves which are subject to entry. As I understand, any person can enter upon the land in forest reserves, so far as mining rights are concerned?

Mr. TAYLOR of Colorado. Yes.

Mr. STAFFORD. And under certain restrictions, so far as homestead entries are concerned?

Mr. TAYLOR of Colorado. Yes. I will say to the gentleman that it was the opinion of the committee that this land in the forest reserves would be no more sacred than any other forest-reserve land, and it should exclude any possibility of mineral entry or application for homestead right if anybody ever wanted to take a homestead on it.

Mr. STAFFORD. Is it not the intention to have this land virtually a part of the park system of Denver?

Mr. TAYLOR of Colorado. Yes.

Mr. STAFFORD. And do you wish it to be subject to entry when it has become a part of the park system of Denver?

Mr. TAYLOR of Colorado. The committee did not think it would be a good precedent for us to make to place 7,000 acres of land in a forest reserve so that that should be more sacred or give additional rights that other forest reserves did not have. So far as the committee was concerned, we thought the city of Denver would be willing to accept that condition as prescribed in the bill.

Mr. STAFFORD. It is still subject to filing under the mining laws and as homesteads if there are any agricultural lands there?

Mr. TAYLOR of Colorado. Yes, sir. The city is willing to take its chances, and they have already expended several thousand dollars in building automobile roads up to this ground.

Mr. BRYAN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from Washington?

Mr. TAYLOR of Colorado. Certainly.

Mr. BRYAN. Is all of this land the property of the United States Government? Are there any private lands included in this?

Mr. TAYLOR of Colorado. No private lands are included in this bill.

Mr. BRYAN. On line 16 of page 4 the property is put into the forest reserve, subject to all prior valid rights?

Mr. TAYLOR of Colorado. Yes.

Mr. BRYAN. The gentleman knows that some of the most glaring frauds that have been perpetrated with reference to the forest reserves and to private lands have been by incorporating private lands into forest reserves and then through lieu-land certificates private owners have been enabled to go on other Government land and get good land for their worthless land which was out in forest reserves. Now, I am a little bit suspicious, until I hear from the gentleman from Colorado on the subject, of putting this land into a forest reserve, subject to all prior valid rights, unless I can be assured that it is Government land.

Mr. TAYLOR of Colorado. This is a project that the city of Denver has had in mind for several years. The Interior Department and the Department of Agriculture have sent experts out there and mapped every quarter section of this land. They have gone over the ground exhaustively. It has been reported upon time and time again. And this bill is approved by the department. It is something that meets the approval of both the Department of Agriculture and the Department of the Interior, and is in the interest of building up the park system of the city of Denver. I may say that we have adopted all the amendments that they have suggested by the departments. We have complied with their requests in every particular.

Mr. BRYAN. I call the gentleman's attention to the second paragraph of the department's letter, in which it is stated—

The land proposed to be reserved is shown by such records to be public, with the exception of the southeast quarter northeast quarter and east half southeast quarter section 28, township 5 south, range 71 west, which is embraced in an unperfected homestead entry.

Now, under the construction of the present law, does not the owner of this homestead entry have the right to ask for a lieu certificate? Is not that law still operative?

Mr. TAYLOR of Colorado. No; I will tell the gentleman about that. We have no right to legislate away from anybody any legal rights that they have, and the Secretary of the Interior has insisted that in these private bills private rights must be preserved. I have passed a number of them. I have heretofore passed bills granting parks for about 20 cities and towns in Colorado, and in all of them the department has insisted that if there are any vested legal rights we must exclude them from the bill and preserve them, and I have always gladly done so. This does not give them any additional rights. They have to go ahead, and if they have any rights they must show them and perfect their titles under the existing law; but they can not get any lieu land.

Mr. BRYAN. Would the gentleman object to an amendment to line 3 of page 1 of the bill, so as to make it read "That all lands of the United States in the State of Colorado hereafter described"? Just reserve all lands belonging to the United States Government, but not any lands that do not belong to Uncle Sam.

Mr. TAYLOR of Colorado. I have no particular objection to that.

Mr. MONDELL. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. TAYLOR of Colorado. Yes.

Mr. MONDELL. If it is wise to put this land in the forest reserve—and I assume it is—all of the land in this compact area should be within the forest reserve, including any tract which may be temporarily claimed. The language of the bill, I will suggest to the gentleman from Washington [Mr. BRYAN] will not affect the right of the homestead claimant one way or the other, but will affect his land in this way, that if he should not perfect his right, when his right lapses then the tract covered by his right becomes a part of the forest reserve. No one else can secure any right.

Now, if it is proper to have the land within the forest reserve, including the land that this location is on, it all ought to be included in the reserve, reserving, of course, to the homestead settler whatever rights he has.

Mr. BRYAN. If the settler goes on it and perfects his homestead, and there may be other tracts besides that—

Mr. MONDELL. There are no others—

Mr. BRYAN. He gets title to the land inside the forest reserve. Then come negotiations to get him out of the forest reserve.

Mr. MONDELL. Oh, the gentleman knows that we are putting settlers in the forest reserves—scores of them.

Mr. BRYAN. But we are not giving them title to the land.

Mr. MONDELL. Of course we are giving them title to the land, under the homestead law, every day in the year.

Mr. BRYAN. The gentleman is mistaken. We are eliminating agricultural land and letting it be homesteaded, but—

Mr. MONDELL. If this did not contain some agricultural land the fellow would not take out an entry.

Mr. DONOVAN. Mr. Speaker, I call for the regular order.

The SPEAKER. Is there objection?

Mr. STAFFORD. In that connection, Mr. Speaker, if the gentleman from Colorado will yield, I notice that as the bill was originally introduced the phraseology was "all lands belonging to the United States of America," and the committee struck that out and substituted "all lands in the State of Colorado." There must be some reason for taking that action, and the gentleman's amendment is reintroducing the phraseology of the original bill. I think there must be some reason, based upon the hypothesis of the gentleman from Wyoming [Mr. MONDELL], that there may be instances of entries here which may lapse.

Mr. TAYLOR of Colorado. If the gentleman will notice this, he will notice that in the way the Senate bill is drawn the bill includes and embraces the amendment suggested by the House committee.

Mr. STAFFORD. The gentleman did not catch the drift of my suggestion. As the bill was originally drafted it was along the line suggested by the gentleman from Washington [Mr. BRYAN], whereas the committee struck that out and substituted "all lands in the State of Colorado." There must have been some reason for it, and I suppose it was the reason advanced by the gentleman from Wyoming, and I suppose it is a good reason.

Mr. TAYLOR of Colorado. Has the gentleman the bills?

Mr. STAFFORD. Yes; I have them both.

Mr. TAYLOR of Colorado. The gentleman will see that the language of the Senate bill is the language that the House committee suggests by way of amendment. That was done, as I understand, at the suggestion of the Interior Department, and we just made an amendment to it. I do not care anything about it.

Mr. STAFFORD. I think there must have been some reason for it. The gentleman still does not grasp my meaning. The gentleman's committee struck out the words "now belonging to the United States of America" and substituted the words "the State of Colorado."

Mr. TAYLOR of Colorado. I think the land ought to be in the forest reserves, and the bill gives a specific description of the land and then designates it as part of the reserve.

I think it ought to remain the way it is; but, then, I have no special objection. I think the gentleman ought to withdraw his objection.

Mr. BRYAN. I will say to the gentleman that I am not going to object to the consideration of the bill.

Mr. TAYLOR of Colorado. I thank the gentleman. It will save having to go back to be concurred in by the Senate. I demand the regular order, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The SPEAKER. Now, does the gentleman from Washington want to offer his amendment?

Mr. BRYAN. I move to amend by inserting, after the word "lands," in line 3, page 1, the words "belonging to the United States Government." I understand that language was in the bill and was stricken out in the Senate.

Mr. TAYLOR of Colorado. It was stricken out by both committees.

Mr. MONDELL. Both committees struck it out.

Mr. TAYLOR of Colorado. I do not think it is very important, but both committees thought it was not appropriate, and I ask that the amendment be not agreed to.

I had all of this land together with the land included in my companion bill to this withdrawn from all forms of entry for the purpose of protecting this territory for the city of Denver until this legislation could be enacted. My report upon this bill

gives a description of the object and purpose of this measure more in detail, and is in part as follows:

DEPARTMENT OF THE INTERIOR,
Washington, May 14, 1914.

HON. EDWARD T. TAYLOR,
House of Representatives.

MY DEAR MR. TAYLOR: In response to your letter of April 13, 1914, I have this day transmitted to the President two forms of Executive orders for issuance, one reserving, in aid of House bill 15533, the land therein described and proposed to be granted to the city and county of Denver, Colo., for a public park, and the other reserving, in aid of House bill 15534, the land therein described and proposed to be incorporated into the Pike National Forest.

Cordially, yours,

FRANKLIN K. LANE.

The amendments recommended by the committee are in accordance with the suggestions offered by the Secretary of the Interior. It will appear from the report of the Interior Department that these lands are in a high and rough country; that they contain no merchantable timber and have no value for agriculture or any other purpose that would make them likely to be entered under any of the public-land laws. Being from 8 to 24 miles from the city of Denver, it is self-evident that if these lands had any appreciable value they would have been entered by some one years ago.

The city has already spent a large amount of money in building good automobile roads up to and through these lands, and it is the intention of the city authorities to place improvements upon the lands for the purpose of protecting the scenery and making them a kind of summer outing place for the people of the city and surrounding country, as well as a part of the general park system and drives of the city.

The city has by its charter and by-laws of the State the authority to purchase these lands and to spend large amounts of money toward making them attractive and preserving their scenic beauty from being destroyed. Practically all of the officials and public-spirited citizens of the State generally—and more especially of the city of Denver—are desirous that the city should own these lands, so they may control them and be justified in spending the public money in improving them.

The President has withdrawn from all forms of entry these lands, in aid of this legislation, as well as the land that is included in the accompanying bill (H. R. 15534), placing certain lands in the adjacent Pike National Forest, both of which bills have the hearty approval of the Interior Department and Agricultural Department and the President of the United States.

It is believed by the committee that no higher or better use could possibly be made of these lands than by allowing the city of Denver to take them at a nominal figure and use them for the health and pleasure of the citizens of that city and the public generally who may visit the city.

By chapter 115 of the laws of 1913 the State of Colorado authorized the city and county of Denver to acquire land outside of the limits of said city and county for parks and roads either by purchase or the exercise of the right of eminent domain.

By amendment to the city charter, known as the "mountain parks amendment," the voters of the city and county of Denver, by an overwhelming majority, provided for the accomplishment of the purpose by authorizing a levy of one-half mill per dollar each year for five years on the assessed valuation.

Under the supervision of the commissioner of property and the park commission, eminent landscape architects were employed to work out plans and report same. Their plans and reports were made and adopted.

Several thousand acres of land have been purchased by the city from private individuals and private corporations, and many thousands of dollars have been spent and are now being spent for the improvement of old roads and building new roads connecting the city and its chain of mountain parks. And many more thousand acres are to be acquired from private owners and from the State of Colorado, all to be used for public park purposes. About 200 miles of roads, old and new, are included in the project.

The city of Denver is building shelter houses, interior park roads, and improving natural springs in the areas heretofore acquired, and contemplates further work of like nature as rapidly as possible. The scenic attractions of the region are many and varied. The preservation of the natural scenery and making it easy to reach are commendable. The benefits to health and otherwise to people who may enjoy the scenery and excellent summer climate are inestimable.

The commercial value of the land is slight either for agriculture, mining, grazing, or timber. The fact that it is so near a large city and has never been appropriated for entry under the land laws is strong evidence of this fact. The President has withdrawn the land from entry in aid of this legislation.

It is believed by the committee that no higher or better use of these lands could possibly be made than by allowing the city of Denver to take them at a nominal figure and use them for the health and pleasure of the citizens of that city and the public generally who may visit the city.

Mr. MONDELL. Mr. Speaker, I think if the gentleman from Washington [Mr. BRYAN] will stop to consider a moment he will not want to urge his amendment. This is the only effect it will have: If this homesteader perfects his entry, then the status of the tract is in nowise affected by this amendment. He will have a tract of land within a forest reserve. If, however, he does not perfect his entry and the amendment offered by the gentleman from Washington is adopted, then this tract of land will still be public land within the limits of a forest reserve, and anyone can go upon it and enter it at any time. If it is wise to reserve the lands, they ought all to be reserved, unless this particular settler may want this particular tract. If he does, he gets it in any event, and under the same conditions with or without the amendment. If he sees fit to abandon his right, then if the bill is not amended the land automatically becomes a part of the forest reserve.

Mr. Speaker, just one thing more. There was some discussion here as to the effect of the language in the bill on all of these lands. The gentleman from Wisconsin [Mr. STAFFORD] asked

some questions about an amendment which, as the gentleman from Colorado [Mr. TAYLOR] suggested, put these lands on the same basis and footing as all forest-reserve lands. I think that is not entirely true. I think the word "reserved," at the end of line 15, put these lands in a different category from other forest-reserve lands. Had that word been left out and the word "and," on the next line, left out, so that it read—

And the same are hereby made a part of the Platte National Forest—

Then these lands would have been in the same condition, legally, as other forest-reserve lands; but the use of the word "reserved," in my opinion, will prevent any of them being entered under any law, and, as a matter of fact, I presume that that is a more satisfactory situation from everybody's standpoint, although I think it was not intended by the gentleman from Colorado. But I do think that is what the effect would be. They are not only made a part of the forest reserve; they are also reserved. I think that would prevent their being entered under any law.

Mr. STAFFORD. If the gentleman will yield, I wish to say that the Secretary of the Interior, Mr. Lane, takes a different view in his recommendation, as found in his letter which is a part of this report.

Mr. MONDELL. I do not think the Secretary does take a different view. I think the Secretary, in taking his view, did not go far enough and did not consider the effect of this particular word.

Mr. STAFFORD. The Secretary merely recommended the striking out of the words "and withdrawn from entry," and did not suggest the striking out of the word "reserved," and stated that that would place the lands in the same category as the lands in the forest reserves generally.

Mr. MONDELL. The gentleman knows that I would not want to put my judgment against that of the Secretary of the Interior on land matters, but the gentleman knows that the Secretary of the Interior does not write all the letters that are signed by him.

Mr. STAFFORD. I would certainly want to put the judgment of the gentleman from Wyoming against that of the subordinate who may have written this letter.

Mr. MONDELL. Knowing that the Secretary did not write the letter but that somebody else did, I feel that I am not criticizing the Secretary. I have no disposition to do so; but I think whoever wrote the letter did not take into consideration the fact that the word "reserved" might be held to have the very effect that the other language proposed to be stricken out has.

Mr. STAFFORD. I appreciate the significance of the gentleman's criticism.

Mr. MONDELL. And I see no objection to it. As long as the gentleman from Colorado [Mr. TAYLOR] does not object, no one else will. I shall offer no amendment.

Mr. TAYLOR of Colorado. Regular order, Mr. Speaker.

The SPEAKER. The Clerk will report the amendment of the gentleman from Washington.

The Clerk read as follows:

Amendment by Mr. Bryan:
Page 1, line 3, after the word "lands," insert the words "of the United States Government."

The amendment was rejected.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

Mr. MANN. I suggest to the gentleman that he ask that the similar House bill, H. R. 15543, be laid on the table.

Mr. TAYLOR of Colorado. I ask that the similar House bill, H. R. 15543, be laid on the table.

The SPEAKER. If there be no objection, the House bill of similar tenor will be laid on the table.

There was no objection.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill passed was laid on the table.

PUBLIC BUILDING SITE, VINELAND, N. J.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16642) authorizing the Secretary of the Treasury to disregard section 33 of the public buildings act of March 4, 1913, as to site at Vineland, N. J.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to disregard that portion of section 33 of the public buildings act, approved March 4, 1913, which requires that the Federal building site selected at Vineland, N. J., shall be bounded on at least two sides by streets.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman from New Jersey [Mr. BAKER] who intro-

duced the bill, a question in reference to this Vineland Federal building site.

Mr. PARK. Mr. Speaker, during the temporary absence of the gentleman from New Jersey [Mr. BAKER], I have been requested to look after this bill.

Mr. MANN. All right.

The SPEAKER. Does the gentleman from Illinois want to ask any questions.

Mr. MANN. I should like to know why the gentleman proposes to have us disregard a section of the statute?

Mr. PARK. That provides for a street on each side of the building. This is to disregard that and to select a lot in a block with the building facing one street. The choice of the citizens almost unanimously—the patrons of the office—is for this particular lot. The Secretary of the Treasury has suggested that the provision be waived.

Mr. MANN. I see; but here we have a law which I do not think there is very much sense in, providing for 40-foot space on each side of a public building when it is erected. And now, when some gentleman wants to disregard that, I think he ought to give some very good reason for it, although I would prefer to repeal the law.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. PARK. Yes.

Mr. STAFFORD. I suppose the gentleman is acquainted with the locality which this bill affects?

Mr. PARK. No; I have only the statement of the gentleman who is interested in it.

Mr. STAFFORD. It is a very small community, with but one main thoroughfare running through it. It has a very limited extent. When I read the report it struck me as being rather unusual that they could not find some lot in a little Jersey sand-lot community like that that did not have two sides to it. I thought at first it might be that the adjoining properties on either side of the selected site were to profit by the air space. I suppose everybody who has ever gone to Atlantic City knows where Vineland is. It is just across the meadows from Atlantic City. I suppose the population is not more than two or three thousand. It is just one of those little villages in the grape-juice district. The population may have increased rapidly since grape juice has become popular.

Mr. BURNETT. Mr. Speaker, I would like to state to the gentleman that the report of the agent of the Treasury Department who went and looked at the lot is that this is much the most available lot. It is a lot desired by the people, and the agent himself says that it is best, an inside lot. I have never been there and have never seen the place, that I know of. I never have been to Atlantic City.

Mr. STAFFORD. What! The gentleman has never been to Atlantic City?

Mr. BURNETT. No.

Mr. STAFFORD. The gentleman's education has been seriously neglected.

Mr. BURNETT. There is no doubt of that, but I have had other fish to fry and could not waste time in visiting Atlantic City, or any other summer resorts. My understanding is that Vineland is a small town, and the agent of the Government recommends this as the most available and best lot, and the Treasury Department thinks that this requisition ought to be waived, a requisition which requires that there should be two sides of the building on streets. I did not report this bill, and hence I have not kept it in my mind as well as I would if I had reported it, but my recollection is that the statement of the gentleman from New Jersey [Mr. BAKER] was that it was a small town; that this is right in the business part of the town; that it would, perhaps, be inconvenient to the business section of the town to secure a lot as available or as good as this, with two sides exposed to the street.

Mr. STAFFORD. The present law requiring an air space of 40 feet on either side of the proposed building would still be in effect?

Mr. BURNETT. It is only that part of the law which requires that it will be at least on two streets.

Mr. STAFFORD. But we have another law that requires that there shall not be any building within 40 feet of either of the building lines of the public building. That law would still be in effect. This bill will require a much larger lot, if not on the corner, so far as the street frontage is concerned, than it would for a corner lot.

Mr. BURNETT. That might be true.

Mr. STAFFORD. Here are 80 feet. That must be very valuable property right there in this city or village or community where they have merely one business street, the length of one ordinary city block, where the public building is recommended to be located.

Mr. BURNETT. Those were the reasons, as I remember, that were presented to the committee and that controlled the department in recommending this to be done.

Mr. STAFFORD. The gentleman is acquainted with similar communities where, naturally, the business people would like to have the post office located on the business thoroughfare; but if we are going to pursue that policy we should repeal the law in connection with these cases requiring that there should be 40 feet of air space on either side. Otherwise you are giving to the adjoining property owners a great advantage in air or light space.

Mr. BURNETT. I think the Government could not take the land adjoining for this space without paying for it.

Mr. STAFFORD. It gives them a benefit for which they pay nothing.

Mr. MANN. Oh, they do not pay for it.

Mr. STAFFORD. No; the Government is giving to these owners 40 feet of air and light space.

Mr. BURNETT. Oh, no; the Government is taking that for its own building.

Mr. STAFFORD. But if it were on the corner it would not need 40 feet on either side.

Mr. BURNETT. That is true; and that is the reason the law was passed, no doubt. I should not be in favor of repealing the law, and yet exceptions ought to be made.

Mr. STAFFORD. I regret very much that the gentleman from New Jersey [Mr. BAKER] is not here so that he can give us the real reason; because, as I know Vineland, it is a small community, and there should be some good reason advanced why an exception should be made in this case.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MANN. As I understand the purpose of requiring the site to be located with streets on two sides of it, is in order to give added fire protection?

Mr. BURNETT. Yes.

Mr. MANN. As well as light and air?

Mr. BURNETT. No doubt.

Mr. MANN. What sort of fire protection do they have in Vineland?

Mr. BURNETT. I do not know. If the gentleman is making serious objection to it, I will ask that it be passed over without prejudice, because I did not report the bill, and therefore have not kept in mind the conditions as I would have done if I had reported it. I can not give any personal information about it.

Mr. MANN. I think I shall not object myself to the bill, but the question which naturally arises is whether the special agent of the department has been influenced by political considerations in urging that we waive the natural and ordinary requirements.

Mr. BURNETT. Well, of course I know nothing about that.

Mr. MANN. Of course the gentleman would not know about that.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Alabama asks unanimous consent to pass the bill over without prejudice. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS A SLOUGH, GUNTERSVILLE, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16679) to authorize Bryan and Albert Henry to construct a bridge across a slough, which is a part of the Tennessee River, near Guntersville, Ala.

The Clerk read as follows:

Be it enacted, etc., That Bryan and Albert Henry, of Guntersville, Ala., and their assigns be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across a slough, which is a part of the Tennessee River, at a point suitable to the interests of navigation at or near Guntersville, Ala., said bridge to connect the mainland with Henry Island, in said Tennessee River, in the county of Marshall, in the State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was read, as follows:

Page 1, line 4, after the word "assigns," insert "when authorized by the State of Alabama."

Mr. ADAMSON. Mr. Speaker, I understand there is a Senate bill of similar import which has just come over. If so, I would like to ask unanimous consent to consider the Senate bill in lieu of this one.

The SPEAKER. Does the gentleman know anything about the number of it?

Mr. BURNETT. No; I do not. I did not know until a minute ago, when I was informed by the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia asks unanimous consent that Senate bill 5977 be considered in lieu of the one just read. Is there objection?

Mr. ADAMSON. I will be glad to have the bill read so we can see it is identical with the House bill.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That Bryan and Albert Henry, of Guntersville, Ala., and their assigns, when authorized by the State of Alabama, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across a slough, which is a part of the Tennessee River, at a point suitable to the interests of navigation, at or near Guntersville, Ala., said bridge to connect the mainland with Henry Island, in said Tennessee River, in the county of Marshall, in the State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to considering the Senate bill just read in lieu of the House bill read a few moments ago on the same subject—

Mr. MANN. Mr. Speaker, reserving the right to object, I see the Senate bill carries the language to which the committee had offered an amendment to the House bill.

Mr. ADAMSON. I will move to amend by eliminating those words.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Speaker, we intended if the House bill was considered to ask that the Senate amendment be disagreed to, and in conformity with that idea I move to strike out—

The SPEAKER. We have not reached that point yet. The question is, Is there objection to the present consideration of a Senate bill just read? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Chairman, I move to amend by eliminating the words "when authorized by the State of Alabama."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend the Senate bill, page 1, line 4, by striking out the words "when authorized by the State of Alabama."

The question was taken, and the amendment was agreed to.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to insert after the word "Bryan," line 3, page 1, the word "Henry." It authorizes "Bryan and Albert Henry" and there is some question whether that might mean Bryan Henry and Albert Henry, although I think there is no question how the courts would construe it.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, after the word "Bryan," insert the word "Henry."

The question was taken, and the amendment was agreed to.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to conform to the text.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ADAMSON. Mr. Speaker, I move to lay the House bill of similar title on the table.

The motion was agreed to.

REVOCABLE LICENSE FOR USE OF LANDS NEAR NASHVILLE, TENN.

The next business on the Calendar for Unanimous Consent was H. J. Res. 246, to authorize the Secretary of War to grant a revocable license for the use of lands adjoining a national cemetery near Nashville, Tenn., for public-road purposes.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to permit all or any part of the land belonging to the United States and lying outside of and adjoining the north and west walls enclosing the national cemetery near Nashville, Tenn., to be used for a public road: *Provided,* That such license or permit shall be issued at the discretion of the Secretary of War and upon such terms and conditions as he may prescribe, and may be revoked at any time, with or without cause.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, in the first place this bill was never referred to the Secretary of War for a report in reference to the park officials. Does the gentleman know whether that was done or not?

Mr. BYRNS of Tennessee. I think the bill was referred to the Secretary of War.

Mr. MANN. Well, does not my friend from Tennessee think that the House ought to be in possession of the facts that a bill of this character has been referred to the officials in charge of the park to know what they have to say about it?

Mr. HOWARD. Mr. Speaker, in answer to the gentleman, I happened to report this bill. The report from the War Department was a very short report. The Secretary of War reported

adversely to this particular grant of this land, or the use of it. As this bill carried with it no positive right or any positive instructions to the Secretary of War, but after all leaving it entirely within his discretion, in view of the nature of the resolution the Committee on Military Affairs thought that it could possibly do no harm to report and pass it, and let the Secretary of War then finally ascertain what the situation is at Nashville, Tenn., as to this strip of land and the effect of this grant upon the National Cemetery.

Mr. MANN. Well, it may not be so easy for the Secretary of War to fail to yield to pressure upon him as it is for Members of Congress. It seems to me that a bill of this sort, while we are not bound at all by the opinion of the local authorities or the War Department, the bill ought to be referred to them, and we ought to have a statement from them before the House passes it.

Mr. HOWARD. It was referred, and the statement is available.

Mr. MANN. I have not seen it.

Mr. HOWARD. The statement is not a vehement declaration against the passage of this resolution, I will state to the gentleman; but here is the situation, and I can explain it to the gentleman in a minute: When the wall was originally built around this cemetery, it left a space of about 50 feet lying outside of the wall which has not been used.

Since that time all of this property around the cemetery has been cut up and magnificent residences will soon be in the course of construction.

Mr. MANN. What does the gentleman mean by magnificent residences?

Mr. HOWARD. Fine residences. That is to say, the very best residential section of the city has been going out that way, so I have been informed, and they are building fine houses, costing from \$8,000 to \$15,000 each. They have gotten up to this cemetery part of the subdivision. The committee thought this: That rather than to have the garages, the barns, and out-buildings incident to residences back up on the cemetery, it would be much more advantageous not only to the looks but to the property to have these residences fronting this 50 foot road, which is absolutely of no value to the Government. People do not use it; they do not care for it as they should; the strip itself is practically an eyesore, because the attention of the Government is given to the inside of the wall, to the graves of the veterans who are buried there. The committee thought, and I most heartily concur in their conclusion, that it would be much better for the cemetery proper—that is, for its future surroundings—to have these buildings fronting upon it than backing upon it.

Now, one or the other is going to happen. Inasmuch as the gentleman from Tennessee [Mr. BYRNS] knows more about it—

Mr. BYRNS of Tennessee. In addition to what the gentleman from Georgia has said, I wish to say to the gentleman from Illinois and to the House that this cemetery is located about 6 miles from the central part of the city of Nashville. As the gentleman from Georgia has stated, the town is growing in that direction; that is, the eastern portion of it. These lots adjoining the cemetery have been cut up into lots of an acre, and possibly larger, dimensions. Those who own lots which adjoin the cemetery desire to build their homes fronting the cemetery, for obvious reasons, and will do so if they are permitted to use this unused portion of the Government lands for road purposes, but if they are not permitted to use these unused portions of land for road purposes they will front their lots in the other direction and build their roads in conjunction with those who own the lots in the rear. The gentleman can see it would be much cheaper for them to do so, but they would much prefer to go to the additional expense of constructing the entire road and maintaining it in order to get the view they will get if they can front upon the cemetery.

Now, in addition to that, as the gentleman from Georgia [Mr. HOWARD] has stated, for some reason when the stone wall was placed around the cemetery the Government authorities left on the west side, I think, 25.5 feet of land on the outside of the wall and on the north side 50 feet of land. That portion of land outside of the wall is not kept in as good condition as the cemetery itself. The gentleman can readily appreciate the fact that from time to time brush is thrown over the wall, weeds grow up on it, and so forth. In other words, it is not a part of the cemetery proper.

Mr. STAFFORD. Can the gentleman explain the reason why that land was reserved and the wall was not extended out to the extreme boundaries of the Government property?

Mr. BYRNS of Tennessee. I can not. I have asked the question, and no one seems to know. If these houses front in the

other direction, as the gentleman from Georgia says, it will mean that stables or barns will be built there adjoining the Government property, and those who have automobiles will put their garages there and their outhouses there, because the gentleman will understand that this is outside of the corporate limits of the city of Nashville, and I do not know whether they will have water facilities there for a while or not. And I can see how it would be very objectionable to the cemetery and those who visit the cemetery to have fronting up on the north and west side of this cemetery a lot of stables, barns, garages, and other outhouses incident to a house or suburban home outside of the corporate limits of the city of Nashville.

Mr. MANN. How many houses have been already constructed there?

Mr. BYRNS of Tennessee. Unless some house has been constructed within the last month or six weeks, I do not think any has been constructed, because these gentlemen have been waiting to see what would be done.

Mr. MANN. My friend from Georgia [Mr. HOWARD] said they were building magnificent houses.

Mr. HOWARD. I said up to the cemetery property. I said that in the development of this suburban property up to the cemetery they had built splendid residences.

Mr. BYRNS of Tennessee. Unless some have been built in the last six weeks, they have not constructed any on the west side. I understand that on the north side of the cemetery houses are going up, but they are fronting in the opposite direction, with the rear next to the cemetery. But I am told that the gentlemen on the west side, who own this land and who desire to front on the cemetery, are delaying the construction of their buildings until they see what is to be done.

Mr. MANN. If this bill should not pass and this property should not be built into a public road, where would the houses front?

Mr. BYRNS of Tennessee. I am told by Mr. Sanford Duncan, of Nashville, that he intends to front his house to the lots in the rear.

Mr. MANN. What does he front on? That is what I want to know.

Mr. BYRNS of Tennessee. He, in conjunction with those who own the lots in the rear, will build a road between those lots.

Mr. MANN. The property is not subdivided?

Mr. BYRNS of Tennessee. The property has been subdivided, but there are no roads.

Mr. MANN. If it was subdivided, was it laid out without any streets at all?

Mr. BYRNS of Tennessee. The gentlemen will understand that these are lots of 3 or 4 acres, with no roads or anything of the sort, and the people who own the lots will get together and construct a proper road. It is not laid out as town lots.

Mr. STAFFORD. Though the width of the proposed dedicated tract is given, it is not stated how long the proposed tract is, so that we can get an idea of the amount of land that is really going to be dedicated.

Mr. BYRNS of Tennessee. Well, it would be a mere guess upon my part. It is the entire length of the cemetery.

Mr. MANN. How high is this cemetery wall?

Mr. BYRNS of Tennessee. It is probably waist high.

Mr. MANN. You say that on the north side there is about 50 feet on the outside?

Mr. BYRNS of Tennessee. Yes; but I understand that that will not be asked for, because the buildings are going up.

Mr. MANN. How long is that west side, where it is 26½ feet wide?

Mr. BYRNS of Tennessee. I should imagine it was two to four hundred yards; but that is a mere guess on my part.

Mr. MANN. Does my friend from Tennessee really think that anybody will front a house upon a cemetery with a road between him and the cemetery only 26 feet wide, including the sidewalk, I suppose?

Mr. BYRNS of Tennessee. Oh, I take it that those gentlemen, if they need more road, will provide for it out of their lands.

Mr. MANN. It is only a pretty good alley, not a road.

Mr. BYRNS of Tennessee. The gentleman will understand that there will be only one sidewalk, and that is in front of the lots.

Mr. MANN. I said "sidewalk," not "sidewalks." Is the gentleman going to insert in here, after the word "hereby," the words "in his discretion"?

Mr. BYRNS of Tennessee. I am perfectly willing to accept that amendment. This is only to give the authority; to grant it, if the Secretary of War thinks it wise to do so.

Mr. STAFFORD. Mr. Speaker, there is only one other question that I wanted to ask. I assume that this road will be maintained by the local authorities?

Mr. BYRNS of Tennessee. Undoubtedly.

Mr. STAFFORD. Would the gentleman have any objection, then, to inserting, after the word "road," the language "and maintained by the local authorities"?

Mr. BYRNS of Tennessee. None whatever.

Mr. STAFFORD. You know in many instances they have come to Congress, when we have dedicated a road, and asked us to maintain it. This being for the direct benefit of the property owners, they certainly should pay for the continued improvement of it.

Mr. BYRNS of Tennessee. The owners of the property do not desire to put the Government to any expense whatever.

Mr. DONOVAN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is, Is there objection to the present consideration of this bill?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that line 3 be amended by adding, after the word "hereby," the words "in his discretion."

The SPEAKER pro tempore (Mr. Wingo). The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 1, line 3, by adding, after the word "hereby," the words "in his discretion."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BYRNS of Tennessee. Now, Mr. Speaker, I move that after the word "road," on line 7, there be inserted the following: "and to be maintained by the local authorities."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 1, line 7, after the word "road," insert the words "and to be maintained by the local authorities."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

PRESERVATION OF MINERAL SPRINGS IN NEW MEXICO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12050) reserving from entry, location, or sale lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, Mr. Speaker, it has not been read yet.

Mr. STAFFORD. Let the bill be reported, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, situated in the county of Sierra, State of New Mexico, be hereby set apart from the public domain and reserved from entry, location, or sale for the purpose of preserving for the use of the public the valuable mineral springs located upon said lots.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to control the use of said lots and the waters thereon, and to make regulations for the government of the reservation, and to make such contracts, agreements, and leases as will best preserve them for the use of the public; and all moneys received from such contracts, agreements, and leases by way of remuneration, or from any other source in connection with this reservation, shall be covered into the Treasury of the United States as a special fund to be disbursed by the Secretary of the Interior for the protection, maintenance, and improvement of said reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I want to ask the gentleman from New Mexico [Mr. FERGUS-

son] if he does not think it would be a good thing to give to the people of the State of New Mexico the right to preserve these springs for the benefit of the public, rather than to unload them on the Federal Government?

Mr. FERGUSON. This land belongs to the Government of the United States.

Mr. MONDELL. I understand. This is the beginning; this is the nose of the camel poked into the tent for a national park. Hot springs are thick out in that western country. If we were to reserve all the hot springs there are we would have a great many more reservations than we have now. If those hot springs are valuable the State of New Mexico ought to take care of them for the benefit of the people. I think the Federal Government ought to grant them to the State of New Mexico if the State of New Mexico wants them. Would the gentleman agree to an amendment, if it were satisfactory all around, to grant this land to the State of New Mexico for the purpose of preserving these springs for the use of the public?

Mr. FERGUSON. I prefer not to do that.

Mr. MONDELL. Oh, I realize that the gentleman would prefer to have the Federal Government build up an elaborate resort there.

Mr. FERGUSON. But the gentleman will observe from the terms of the bill that this is to cost the Government actually nothing.

Mr. MONDELL. Now, nothing; next year something, and the year after more, and thereafter very much. [Laughter.]

Mr. FERGUSON. Will the gentleman allow me to state what I want to state?

Mr. MONDELL. Certainly.

Mr. FERGUSON. This belongs to the Government. It is now, like other valuable hot springs, reserved from entry of any kind by the public—by the people.

It has been so reserved for many years. Heretofore, until within the last year or two, it has been practically inaccessible. These springs are on the west bank of the Rio Grande, a few miles below the Elephant Butte Dam, which is being constructed at a very large expense by the Government, involving the improvement of the road to the nearest railway station, about 16 miles away, on the Atchison, Topeka & Santa Fe Railroad, and also involving the building of a splendid bridge. Since the springs have become thus accessible the absolutely insufficient accommodations there can not begin to serve the suffering people who come and want to avail themselves of the springs, for the reason that the shacks, tents, and improvements there now are put on by squatters at their own expense. There is no adequate hotel, and there are no adequate accommodations for people who are seeking these springs. The proposition is that the springs are to be cared for and leased under the auspices of the Secretary of the Interior. That is, there are to be leases of certain sites for the building of certain hotels, involving the right to distribute the water through the hotels so that the public can use them. It had better be done by the Government as all such springs are controlled and regulated by the Government. There will be no expense to the Government, as the bill simply provides that whatever surplus comes from the leases shall be turned back by the Secretary of the Interior for further improvements.

Mr. MONDELL. The gentleman from New Mexico says this should be "as all other springs are."

Mr. FERGUSON. Perhaps I should have said "as many are."

Mr. MONDELL. The Government does not control any hot springs anywhere, so far as I know, except the Hot Springs of Arkansas, and some people think we should not control them. Down in Oklahoma we have also what is known as the Platte National Park where there are some hot springs, which we have been trying to get rid of for years. The gentleman said this would not cost anything.

Mr. FERGUSON. It will not cost the Government anything.

Mr. MONDELL. But the gentleman proceeds to outline a very elaborate scheme of expenditure. In other words, what the gentleman wants us finally to do is to establish down there at these particular hot springs a national park, and have the Government spend a great deal of money there. I will say to my friend from New Mexico that I have had some experience in this matter of hot springs. In the State of Wyoming we have what I understand is about the largest single hot spring in the United States, if not in the world. I think it has been estimated that every man, woman, and child under the American flag could be furnished with a gallon of water per day from the flow of that single spring, which is about 8 feet across and flows up with great force. Years ago I endeavored to have the Federal Government take over that spring and reserve it. Of course the argument was similar to the argument which the

gentleman makes, that the reservation of the spring would not cost anything, but we expected the Federal Government to spend money for improving it. A bill passed the House providing for the reservation of the spring and its improvement. The bill failed in the Senate, but I substituted for it a bill under which the United States granted to the State of Wyoming the land on which the spring is located, and the State took over the spring and erected bathhouses and provided for the use of the spring by the people. The State assumed the responsibility and expense, and now we are glad of it. We did not want to do it at the time, but now we are very glad we did, and I am sure the people of New Mexico ultimately would be very much better pleased to own these springs themselves and utilize them for the benefit of the people, than to have the Federal Government take them over and have the people of the country spend their money for the upbuilding, protection, care, and improvement of these local springs in New Mexico, which are probably very excellent springs, but possibly no better than many others scattered over the western country.

I regret to object to a bill of this sort, and yet I feel that it is my duty to object to it, because I do not think we ought to load this expense on the Federal Government or take these springs out of the control of the people. The Secretary of the Interior has exercised the power, under laws now upon the statute books, to reserve the springs. He can do that. The gentleman says that he is doing it, but this official reservation is intended as the beginning of a national park. I should be very glad indeed to join the gentleman in an amendment which would turn these springs over to the good State of New Mexico, in order that that Commonwealth may preserve and improve these springs for the benefit of its people.

Mr. FERGUSON. Will the gentleman allow me to explain a little further? I am satisfied he will not defeat this bill if he will listen to my explanation. This is absolutely needed. Sierra County is a little mining county and also a large cattle county. The miners and cowboys and inhabitants around that country can not go far away for their health.

Mr. MONDELL. Will the gentleman yield to me? I think I know the situation there just as well as though I had a picture of it. I know the kind of country it is. We had exactly the same situation in Wyoming.

Mr. FERGUSON. The gentleman evidently does not know, because I see from what he says he does not know. I think I have the right to ask the courtesy of the gentleman to be allowed to explain.

Mr. MONDELL. Certainly; I have no objection to that.

Mr. FERGUSON. These springs have been a blessing to the neighboring sufferers who could get to them. Because of their inaccessibility heretofore more has not been said about them. As I was explaining a moment ago, they are on the west side of the river. The Atchison, Topeka & Santa Fe Railroad runs through that country on the east side of the river, and 16 miles from the railroad the Government has lately built a splendid road to the Elephant Butte Dam and a fine bridge across the river. Five or six miles down the river these springs are located. In consequence of that bridge and the Federal road the springs are now more accessible, and they can not begin to supply the demand for accommodations. They are an absolute blessing to people who are afflicted with certain diseases, and they are also fine for people afflicted with rheumatism, to which the men who work in the damp mines are subject. The springs have great local celebrity. They are absolutely reserved from any use, reserved by the Government because they are mineral springs, and nobody but squatters can locate there, and the accommodations which they have put up are very small and wholly inadequate.

The acreage is only between 75 and 80, as I am told, and the object of this bill is not to get any money out of the Government. The celebrity of these springs, their absolute necessity in that country, make this bill necessary. The ordinary people are crowding in there and this makes it certain that the Secretary of the Interior will be able to make leases that will bring a revenue, which will enable him more and more to improve these springs and make them useful to the whole world. The gentleman is right in saying that there are many fine springs in the Rocky Mountain region, in New Mexico. There is no doubt about that, but they are inaccessible. There are springs that have hot and cold water, there are springs of white sulphur, red sulphur, five or six different minerals that have great celebrity, but they are many miles from any roads. Now, these springs are becoming accessible, so that men will be able to build hotels and distribute these waters and make them useful, and the Government will get sufficient revenue to make it cost the Government nothing. This bill entails no expense, but gives to the Secretary of the Treasury authority to make leases that

will tend to make useful the water. The State is a new State. It is heavily laden with expenses, and to turn this over to the State is wholly inadequate at the present time. Later, if it should be found that they are a useless expense to the Government, that will be time enough to insist on turning them over to the State.

Mr. MONDELL. Mr. Speaker, the gentleman is not entirely logical. He says that this is not going to cost the Government anything, but he does not want the State of New Mexico to take them over because the State is not able to pay the cost of their control and improvement.

Mr. FERGUSON. I did not say that.

Mr. MONDELL. I so understood the gentleman. The State of New Mexico, he said, was a new State, and it was poor, and it was unable to bear any burdens, and now he says that there are no burdens.

Mr. FERGUSON. We have not the machinery in the State government which will be necessary to take over and supervise these springs.

Mr. MONDELL. Mr. Speaker, we had that sort of experience in Wyoming, I will say to the gentleman. We thought we wanted a national park established at our famous Hot Springs. Congress in its wisdom saw fit not to do it. It gave us the land, and our State has proceeded to take care of those springs for the benefit of the people of the State. These springs will be utilized to a very great extent, I hope, and we all hope, and ought to be, and they ought to be cared for, and they ought to be under the jurisdiction of the people of the Commonwealth. I am proposing to object to the bill on behalf of the rights and interests of the people of New Mexico. If the gentleman will give me an opportunity, I will offer an amendment—that is, if he will agree to accept it—under which these lands shall be ceded to the people of New Mexico, with a pledge that they will care for them in the interest of the people. That is the best thing that could be done with them. They entail some expenditure, whether the State has them or the Federal Government. There is no use attempting to disguise that fact. In the long run the people of New Mexico will be very much happier if they control these springs than they will if the Federal Government controls them, and the Public Treasury will be much relieved.

Of course, there will be a few less Federal jobs down in New Mexico, but I believe in State rights, in local control, and I am surprised at a gentleman on the other side getting up here and advocating this kind of federalism. He wants to take these lands in the sovereign State of New Mexico and have them perpetually controlled by the bureaucratic agents of the Federal Government. He wants to take from the people of the sovereign State of New Mexico all of their sovereign right and jurisdiction over these glorious hot springs that are bubbling up in healing purity under the brilliant sunshine of that beautiful country. I am amazed. Let me make this further suggestion to the gentleman, that, as a matter of fact, his reservation by the United States would not have any effect on the use of the waters of the springs. I could go down there to-morrow after this reservation was made and under the laws of his State I could secure control of such waters of those springs as are not now being used. I would have to secure it for a beneficial purpose. I would have to put it to a beneficial use. I would not be able to reserve it from use, but could control its use. The ownership of the land by the Federal Government would not of itself give the Federal Government control over any of these waters. Of course, the Secretary of the Interior after such a bill passed could apply to appropriate those waters, just as anyone else, and he could secure the same rights that others could secure; but the passage of this bill would not of itself reserve those springs to the Federal Government at all.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FERGUSON. Will the gentleman be satisfied to offer his amendment after it is taken up for consideration, and let it be voted on? If the gentleman's reasons appeal to the House, I shall bow to it.

Mr. MONDELL. Oh, the gentleman knows that that is not a fair proposition.

Mr. FERGUSON. I hope the gentleman will not by the power of one vote defeat this bill that is of such urgent necessity to the suffering people of my State.

Mr. MONDELL. Mr. Speaker, answering that suggestion I want to say to the gentleman that he knows just as well as I do that the passage of this bill will not necessarily relieve anybody. The Secretary of the Interior already has those lands under reservation.

Mr. FERGUSON. But the Secretary is not authorized. I have it from his own lips that this authorization is necessary

for him to make leases, to empower men, and give them time enough to justify them in improving the surroundings, to facilitate the use of the water so that they will be of a benefit to the people. He requires the additional authority. It is true that hot springs and mineral springs that are on public lands are reserved, but it takes additional legislation to enable proper contracts for improving them.

Mr. MONDELL. Mr. Speaker, the Secretary of the Interior has not a dollar that I know of with which he could send anybody down there to make these contracts unless we appropriate for it, and the Secretary now has the land reserved, and he can regulate the use of it. There is not anyone going to be denied the use of the waters because we do not legislate. They are being utilized now, and the Secretary of the Interior, no doubt, is in control. The only difference that there would be is that under this legislation the Secretary might make some contracts, wise or unwise, relative to the use of these waters for all time, or for such time as he saw fit. Even if the Secretary were to be authorized to do that, we ought to have some general regulations under which he is to do it. Under the bill he might lease it all to one man or to several men for a long time or in perpetuity.

Here are springs necessary to the happiness and comfort of the people down there. The gentleman would give the Secretary of the Interior the right to lease all of them in perpetuity to some one man. That is what the bill does. I want to give the springs into the keeping of the people of New Mexico.

Mr. FERGUSON. The gentleman can help us perfect the bill as far as that is concerned, and if the gentleman will let the bill come up he can offer any amendment he pleases.

Mr. MONDELL. I will not object if the gentleman will agree to an amendment whereby these lands are to be obtained by the people of the State of New Mexico. I am a friend of the good people of the State of New Mexico, and I want to see them control these health-giving waters—

Mr. FERGUSON. Plainly such a bill can not pass and become a law. The whole endeavor of this project is to help those people.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. I object.

Mr. FERGUSON. Will the gentleman, before he objects, suggest what language he wants to put in, so that I may have a chance to see it?

Mr. MONDELL. Oh, yes; I would strike out all after the word "hereby"—

Mr. FERGUSON. Not desiring to delay the consideration of other bills on the Calendar for Unanimous Consent which Members are anxious to have come up for consideration, I would ask that this bill be passed without prejudice until I can confer with the gentleman.

Mr. MONDELL. I have no objection.

Mr. FERGUSON. So that I can consider what amendment the gentleman desires.

The SPEAKER pro tempore. Is there objection to passing the bill over without prejudice? [After a pause.] The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BARTHOLOTT, indefinitely, on account of a death in his family.

To Mr. KIRKPATRICK, for one week, on account of medical treatment.

To Mr. RUBEY, for two weeks, on account of death of his father.

To Mr. DICKINSON, for two weeks, on account of illness.

CONTRACTS UNDER RECLAMATION ACTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That hereafter whenever a contract made under the reclamation act of June 17, 1902, or acts amendatory thereof or supplementary thereto shall be suspended on account of default of the contractor and the work is taken over by the Government for completion, either by Government forces or by contract, the Reclamation Service is hereby authorized to pay from the reclamation fund, on account of the contractor and the sureties, for labor actually performed on the work and for all or any part of the materials, plant, and supplies ordered by the contractor delivered at the work and needed therefor, upon satisfactory evidence that the same has not been paid for by or on account of the contractor. Any payment so made by the Reclamation Service shall be charged against the contractor and the sureties, who shall be liable therefor. All claims under this act must be filed with the Reclamation Service within 90 days after the suspension of such contract. All contracts for construction or repair of a public

work under the reclamation act or acts amendatory thereof or supplementary thereto shall provide that all books and papers of the contractor regarding the hire and payment of labor and the ordering, purchase, and payment for materials, plant, and supplies shall become available in settlement of claims thereunder. Any claimant who under oath knowingly makes a false claim or a false statement in regard thereto, under the terms of this act, shall be deemed guilty of perjury and subject to the punishment provided therefor by law. A decision of the Secretary of the Interior against any claimant under this act shall not preclude such claimant from proceeding in accordance with the provisions of the act of February 24, 1905, or acts amendatory thereof or supplementary thereto, in order to recover from the contractor or the sureties any amounts claimed to be due him in connection with such contract. The Secretary of the Interior is hereby authorized to make necessary rules and regulations for the filing of sworn statements of claims and other procedure for determining the amounts due under the terms of this act.

The committee amendment was read, as follows:

Page 1, lines 3 and 4, strike out the following words: "That hereafter, whenever a contract made under the reclamation act of June 17, 1902," and insert in lieu thereof the following words: "That whenever a contract for the construction or repair of public works hereafter made under the reclamation act of June 17, 1902."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question or two, or some one in charge of the bill. What is meant, in the first place, by a contract being suspended?

Mr. RAKER. On account of the confusion, I did not hear the gentleman.

Mr. MANN. This bill covers what is ordinarily called a mechanics' lien—claims in certain places under the Reclamation Service—and only takes effect whenever the contract shall have been suspended on account of the fault of the contractor, and so forth?

Mr. RAKER. Yes.

Mr. MANN. What is meant by the term "contract be suspended"?

Mr. RAKER. Under the law as it now exists and as the projects are being developed, where a contract is entered into between the Reclamation Service and the third party to do the work, if he fails to do the work up to the standard, or if he neglects it on account of lack of funds and quits, why, then the Secretary of the Interior suspends the contract and takes over the work and proceeds with it.

Mr. MANN. Does the law say that the contract shall be suspended?

Mr. RAKER. Yes.

Mr. MANN. Is that in the law?

Mr. RAKER. That is in the contract entered into. In other words, if a man has a contract for digging—

Mr. MANN. I know what the facts are.

Mr. RAKER. When he fails to do the work which is provided in the contract, and when he does not proceed under the rules and regulations, the Government takes over the work and completes it itself and charges up to the contractor the amount of money expended.

Mr. MANN. That is provided in the contract?

Mr. RAKER. Yes, sir.

Mr. MANN. That is part of the contract that we had.

Mr. RAKER. Yes.

Mr. MANN. Then plainly the contract is not suspended; it is in operation.

Mr. RAKER. I mean so far as the work between the Government and the man who obtained the contract is concerned.

Mr. MANN. I do not find any such language here. This says when the contract shall be suspended. I do not think the contract is suspended until the work is completed.

Mr. RAKER. It is suspended as to that one feature.

Mr. MANN. That is not what this bill says.

Mr. RAKER. Well, what suggestion has the gentleman to make in reference to it?

Mr. MANN. My suggestion is that this language in here does not carry it out or mean anything.

Mr. RAKER. Well, the Secretary of Agriculture and the Attorney General believe it does.

Mr. MANN. I do not find any evidence of that.

Mr. RAKER. Well, they did not pick out any particular words, but the three departments—

Mr. MANN. Unfortunately that is very often the case, and I will say to the gentleman I am very heartily in favor of some good mechanic lien law that gives any man who furnishes supplies or labor a lien for the amount that is due him. I do not think this does that yet. Now, this statement, "Any payment so made by the Reclamation Service shall be charged against the contractor and securities, who shall be liable therefor." That is, you may after you require the Government to pay the bill.

Mr. RAKER. Yes.

Mr. MANN. Suppose there is not that much due to the contractor, or suppose the sureties do not give a bond to that amount. How are you going to make them liable?

Mr. RAKER. Well, I will answer by saying that that would be an unfortunate condition.

Mr. MANN. It would be, but that is what we are dealing with, an unfortunate condition.

Mr. RAKER. I want to say that the Government should not be so negligent, in taking a bond in preparing these contracts, that the laborers or material men who furnish these things for these works should be deprived of their money or their labor, or that which is due them for supplies which they have furnished.

Mr. MANN. That has not anything to do with the principle. How can you make the sureties liable for a greater amount than their bond?

Mr. RAKER. You can not. There is no question about it.

Mr. MANN. This says that you do.

Mr. RAKER. No. You provide in your bond—suppose it is \$100,000 and there is a deficiency of \$50,000—

Mr. MANN. That is easy; but supposing the bond is \$50,000 and the deficiency is \$100,000?

Mr. RAKER. They will only pay then 50 cents on the dollar.

Mr. MANN. This says the surety shall be liable for the amount that is paid, and directs that the full amount be paid.

Mr. RAKER. Surely they will have to be liable for the amount to be paid. But if the sum is only \$100,000 and the amount is \$150,000, they would only be responsible for \$100,000.

Mr. MANN. But this says they are liable for the full amount.

Mr. RAKER. But if the penalty is only \$50,000 and they have expended \$60,000, they will only recover \$50,000 under the bond.

Mr. MANN. I do not know how it will be with the bonds hereafter. If the law provides that the bondsmen shall be liable, I do not know. They did not know when they entered into the bond—

Mr. RAKER. This would apply to contracts hereafter entered into. That is a provision of the bill.

Mr. MANN. Then it might make bondsmen liable.

Mr. RAKER. That is the provision of the bill, and it is so arranged for that purpose. They could not interfere with contracts already entered into.

Mr. MANN. It makes the bondsmen liable for the full amount regardless of the amount of their bond. At least, it purports to do so.

Mr. RAKER. The gentleman will recognize this fact, that in all statutory provisions you must provide that the bondsmen will be responsible for all the damage occasioned. Now, that must be read in connection with the further statute, which provides the penal sum of the bond; and no difference what the damage or loss might be, you never can go over the penal sum of the bond. There is no question about it.

Mr. MANN. What do you put it in the law for?

Mr. RAKER. So as to leave no doubt that he is liable.

Mr. MANN. Now, let me ask another question. Suppose the Government makes a contract and the contractor goes ahead with the work and draws down the money from the Government under his contract, but does not pay his bills? The Government has no notice of that fact. Under the terms of this bill, when he gets the work nearly done, having not paid his bills for either labor or supplies, he defaults; then you provide that the Government, having no notice, shall pay all of those bills?

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. RAKER. In response to that, there is something in the neighborhood of 25 per cent always retained on each payment, so it leaves a fairly good sum to pay up such matters.

Mr. MANN. That would depend. Twenty-five per cent is not very much of a sum.

Mr. RAKER. That is the same condition under all contracts.

Mr. MANN. I beg the gentleman's pardon.

Mr. RAKER. Practically all building contracts. It varies in amount.

Mr. MANN. I do not think there is a mechanic's lien law where the man is not required to give notice, if he wants his rights preserved.

Mr. RAKER. If this was a mechanic's lien law, we would agree upon it. There is no such a thing—

Mr. MANN. I think there ought to be a mechanic's lien law against the Government.

Mr. RAKER. Well, until we can get the people to pass such a law, ought we not to give some protection to the poor fellow who works?

Mr. MANN. We ought to give him protection, and at the same time give the Government protection, and there is no

reason why a man who furnishes supplies to a doubtful contractor should not give a notice to the General Government at the same time, so that neither the Government nor he can be defrauded by the contractor who wants to defraud both. There is no such provision in here.

Mr. RAKER. Let me call the gentleman's attention to the fact that it is all up to the judgment of the Secretary of the Interior. The entire membership of this House has said so many times that they are satisfied with his judgment. Now, when he takes the bond he can fix the bond at the full amount of the contract price, or even double it, if he wants to, so as to leave an impossibility of a deficit on any kind of material, and the laborers will not lose, or the Government will not lose, if the Secretary of the Interior will fix the bond high enough. That is all there is to it.

Mr. MANN. But the Secretary of the Interior will not and ought not to require a larger bond than he thinks is necessary, because you know when you require an exorbitant bond it means that much more expense charged to the Government. Now, we are dealing with an exceptional case, where the contractor for some reason fails, possibly because the cost of the construction is more than he anticipated or more than the Government anticipated. I am perfectly willing to protect the man who furnishes the labor or supplies, but I do not see any reason why we should not at the same time protect the Government.

Mr. RAKER. How could the gentleman suggest we could protect the Government any more than we have here?

Mr. MANN. I think those people ought to give notice to the Government.

Mr. RAKER. I would see no objection to it. I think it would be a good thing. There is no objection to it.

Mr. SELDOMRIDGE. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes; I yield.

Mr. SELDOMRIDGE. In the State of Wyoming there is an excellent mechanic's lien law, that applies to all corporations and ditch-construction companies and railroad companies—

Mr. RAKER. They have that in every State to-day—

Mr. SELDOMRIDGE. Under which persons furnishing supplies are required to give notice to the parties letting the contract of their indebtedness, and it seems to me there ought to be in this bill a provision such as the gentleman from Illinois [Mr. MANN] suggests, that would require dealers furnishing supplies to the contractors to notify the Government of the amount of supplies furnished, and the contractor should also be required to furnish to the Government a receipt from merchants and laborers to the effect that he has satisfied their claims before the Government makes the required payments to him.

Mr. RAKER. The bill provides for that.

Mr. MANN. I want to compliment the gentleman from California [Mr. RAKER] on introducing the bill and getting it reported. It is a step forward. I am in favor of a mechanic's lien on all contracts that the Government enters into. Of course I know that the War Department, in engineering and river and harbor construction, is opposed to it. There was formerly a law on that subject, and it was repealed. I believe there should be a law on the statute books whereby the man who furnishes labor and supplies to the contractor will be protected absolutely if he wishes to be.

Mr. RAKER. That is such a serious question that it might complicate the whole thing. But from observation it does seem to me that we make too many mistakes in taking little insignificant bonds, with bogus bondsmen on those bonds, to do the work. That is one great failing in these contract matters, and the same way with the Government. Some slick, oily chap comes up and presents Brown and Jones and submits what they have, and they take them.

Mr. MANN. Yet under the gentleman's bill one of these slick gentlemen gets a Government contract and can go ahead and buy supplies and hire labor until he gets the contract almost finished and draws his money from the Government. Then the Government, having paid him, will have to turn around and pay to people who supplied labor and supplies the entire amount in addition.

Mr. RAKER. I think the statute already provides that they must pay within certain limits under the contract. They must pay every week or perhaps every two weeks. But even in a week you can practically ruin the laboring man.

Mr. MANN. We have had the Corbett Tunnel statute, and there has been no statute on the subject enacted since then.

Mr. RAKER. I say, in entering the contract—

Mr. MANN. I say they were not paid in that case.

Mr. RAKER. What amendment would the gentleman suggest as to notice there?

Mr. MANN. I really do not know enough about this form of legislation to suggest the proper amendment, but I hope the gentleman will try to prepare the proper language.

Mr. TAYLOR of Colorado. If the gentleman will permit—

Mr. RAKER. Certainly.

Mr. TAYLOR of Colorado. I may say that in the Committee on the Irrigation of Arid Lands, of which the gentleman from California [Mr. RAKER] is not a member—

Mr. MANN. If I were on the gentleman's committee, I would ask that a bill of that sort go to the Committee on the Judiciary.

Mr. MONDELL. Will the gentleman from California yield to me for a question?

Mr. RAKER. Yes.

Mr. MONDELL. What would occur under this bill in this condition of affairs: A contractor fails; the Government takes over the work and proceeds to the completion of the contract; the cost to the Government for the completion of the contract over the contract price more than exceeds the bond which would be given under this bill; the lien of the Government or the lien of the laborers and those who furnished supplies—

Mr. RAKER. There is no lien here.

Mr. MONDELL. Well, no; you do not call it a lien.

Mr. RAKER. You can not call it a lien.

Mr. MONDELL. Then I will change my question.

Mr. RAKER. Let the gentleman put his question.

Mr. MONDELL. Who would be paid first—the Government or the laborer?

Mr. RAKER. Under this bill?

Mr. MONDELL. Yes.

Mr. RAKER. The laborer.

Mr. MONDELL. I doubt it.

Mr. RAKER. Sure.

Mr. MONDELL. I do not see where the gentleman can read anything of that kind into the bill as it should be.

Mr. RAKER. It is clearly provided in the bill that when the contractor fails to pay, or any other failure occurs, and the work is taken over by the Reclamation Service, or the Government, properly speaking, then the laborers or claimants present their claims to the Secretary of the Interior, and he verifies the claims and pays them out of the reclamation fund.

Mr. MONDELL. Yes; out of the reclamation fund, within the liability of the contractor. But the liability of the contractor must necessarily be considered after the cost to the Government, and there is nothing in the gentleman's bill that prefers the labor or prefers the person who furnishes material and supplies over the Government.

Let me remind my friend from California that in the Corbett Tunnel case, which has become rather notorious here, where there was a failing of the contractor, the difficulty was that when the Government came to take over the work and complete it the contractors owed the Government several thousand dollars, \$25,000 or \$30,000, without taking into consideration the labor or the material; and the result was that there were no funds from which the Government could pay the labor or the material. The Government would have paid the labor—

Mr. RAKER. There is no question but that the Government took out \$200,000 or more from the reclamation fund and paid for that work itself. But it left the laborers unprovided for. It left the material men unprovided for. This provision of this bill says that when this condition happens what shall be done? It provides that the Reclamation Service is authorized to pay from the reclamation fund, on account of the contractor and the sureties, for labor and material furnished and ordered by the contractor.

Mr. DONOVAN. Mr. Speaker, the regular order.

The SPEAKER. The gentleman from Connecticut demands the regular order. The regular order is, Is there objection to the consideration of this bill?

Mr. STAFFORD. I object, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] objects.

Mr. MANN. I hope this bill can be passed over.

Mr. RAKER. Mr. Speaker, under the peculiar conditions I ask that the bill be passed over without prejudice.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

STANDARD BOX FOR APPLES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11178) to establish a standard box for apples, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the standard box for apples shall be of the following dimensions when measured without distention of its parts: Depth of end, 10½ inches; width of end, 11½ inches; length of box, 18 inches; all inside measurements, and representing, as nearly as possible, 2.173½ cubic inches.

Sec. 2. That any box in which apples shall be packed and offered for sale which does contain less than the required number of cubical inches, as prescribed in section 1 of this act, shall be plainly marked on one side and one end with the words "Short box," or with words or figures showing the fractional relation which the actual capacity of the box bears to the capacity of the box prescribed in section 1 of this act. The marking required by this paragraph shall be in block letters of the size not less than 72-point block Gothic.

Sec. 3. That standard boxes when packed, shipped, or delivered for shipment in interstate or foreign commerce, or which shall be sold or offered for sale within the District of Columbia or the Territories of the United States of America, shall bear upon one or both ends in plain figures the number of apples contained in the box; also in plain letters the style of pack used, the name of the person, firm, company, or organization which first packed or caused the same to be packed; the name of the locality where said apples were grown; and the name of the variety of the apples contained in the box unless the variety is not known to the packer, in which event the box shall be marked "Unknown." A variation of three apples from the number designated as being in the box shall be allowed.

Sec. 4. That the apples contained within the said standard box when so packed and offered for sale, shipment, or delivery in interstate or foreign commerce shall be well-grown specimens, of one variety, reasonably uniform in size, properly matured, practically free from dirt, insect pests, diseases, bruises, and other defects, except such as are necessarily caused in the operation of packing.

Sec. 5. That standard boxes packed in accordance with the provisions of this act may be marked "Standard."

Sec. 6. That boxes containing apples marked "Standard" shall be deemed to be misbranded within the meaning of this act—

When the size of the box does not conform to the requirements of section 1 of this act, and when the markings on the box and the contents thereof do not conform to the requirements of sections 3 and 4 of this act.

Sec. 7. That any person, firm, company, or organization who shall mark or cause to be marked boxes packed with apples to sell, or offer for sale, shipment, or delivery, in interstate or foreign commerce, apples in boxes contrary to the provisions of this act or in violation hereof, or shall sell or offer for sale or delivery in interstate or foreign commerce in a standard box apples other than those originally packed therein without first completely obliterating the original markings and labels on such box and mark the box to conform to the provisions of this act shall be liable to a penalty of \$1 for each box so marked, sold, or offered for sale or delivery, and costs, to be recovered at the suit of the United States in any court having jurisdiction: *Provided*, That the penalty to be recovered on any one shipment shall not exceed the sum of \$100, exclusive of costs.

Sec. 8. That this act shall be in force and effect from and after the first day of July, 1914.

With the following committee amendments:

Page 2, line 11, after the word "boxes," insert "marked 'Standard,' as hereinafter provided."

Page 3, after line 17, insert: "*Provided, however*, That all shipments in boxes to foreign countries in which a standard box may have been established may be marked 'For export, quality of contents equal to American standard.'"

The SPEAKER. Is there objection?

Mr. DILLON. Mr. Speaker, in view of the minority report on this bill, I shall object to its consideration.

Mr. FALCONER. Will the gentleman withhold that for a moment?

Mr. RAKER. Will the gentleman withhold his objection just a moment?

Mr. DILLON. I will say to the gentlemen that in view of the number of members on the committee who oppose this bill I shall have to object.

Mr. RAKER. Will the gentleman withhold it just a moment? There is a minority report of only two members of the committee.

Mr. DILLON. That is true, but there are other members on the committee who are opposed to this bill.

Mr. RAKER. No; those who were not present filed with the committee their telegrams from their homes in favor of this bill with the two amendments.

Mr. DILLON. I want to say to the gentleman that this bill ought to be fairly considered by the committee. At the time it came up and was considered by the committee there were not a majority of the members present.

Mr. RAKER. Yes.

Mr. MANN. Will the gentleman permit a suggestion? The Senate on Saturday passed a bill, S. 4517, on this subject, with quite a number of amendments.

Mr. WEBB. Making it apply to Colorado alone, did they not?

Mr. MANN. No; except as to one thing.

Mr. RAKER. Colorado just asked to be exempted, that is all.

Mr. MANN. No; the gentleman is not correct about that. There is one provision that applies to Colorado only. The

gentleman can not expect to call up the Senate bill, which has never yet been printed with the Senate amendments.

Mr. RAKER. It has been printed.

Mr. MANN. It has not been printed with the Senate amendments. It only came over a few moments ago.

Mr. RAKER. It is printed with the Senate amendments, and is now lying on the Speaker's table, because I saw it there.

Mr. MANN. I know the Senate amendments are printed in the usual way in which they come over from the Senate.

Mr. RAKER. No; the bill with the Senate amendments has been printed.

Mr. MANN. What the gentleman saw was the engrossed copy; but the bill is not printed, as we say, for the information of the House. The gentleman may have seen the engrossed copy of the bill, but it has not been printed for the use of the House yet. I am in favor of the bill, but what is the use of trying to consider it under the circumstances.

Mr. FALCONER. I think the fruit-growing States are greatly in favor of the bill, and I would ask the gentleman from South Dakota why he is opposed to it.

Mr. DILLON. I will say to the gentleman that this committee have taken some testimony on the bill. When it came up for final action a majority of the members were not present. Now, prior to that time the committee reported out a bill known as the Tuttle bill. That made an apple barrel mandatory.

Mr. FALCONER. To the exclusion of the box?

Mr. DILLON. It said nothing at all about the apple box. Now, that bill is upon the calendar. The same committee, counting those who were in favor of the bill but were not present, reported this bill out in optional form. If the apple barrel is mandatory, there is no reason why the apple box should not be mandatory.

Mr. RAKER. Will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. RAKER. The same committee, the same individuals on the committee, and the same absentees concurred in their report on the Tuttle bill as in their report on the Raker bill. The two were heard the same day, and the two reports were written out at the same time, and the same number of men were present in the committee when they reported out the Raker bill, and there were a majority of the members of the committee present, but two of them voted against the bill. Nevertheless, a majority being present, it was voted to report out the bill, and those who were absent sent their telegrams in favor of this bill—H. R. 11178—with the two amendments which were adopted.

Mr. DILLON. Let me say to the gentleman that he is not a member of that committee, and I do not think he knows as much about it as I do. The Tuttle bill has my approval. It was first reported out in optional form, and the growers over the country made complaint, and we gave them a rehearing in the matter, and then we changed our views and reported out the bill in mandatory form, and I joined in that report.

Mr. RAKER. Will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. RAKER. The gentleman and I are in accord except on one little matter; that is, whether it shall be mandatory or optional.

Mr. DILLON. But when the gentleman says the two bills were reported out at the same time, he is laboring under a misapprehension.

Mr. RAKER. That was my recollection.

Mr. DILLON. The gentleman is entirely mistaken.

Mr. RAKER. I may have been mistaken as to the dates.

Mr. DILLON. You are mistaken in reference to that matter.

Mr. RAKER. The gentleman being present ought to know about that matter.

Mr. DILLON. I attend all the meetings of committees of which I am a member when I am in the city.

Mr. RAKER. The gentleman and I will not differ on this matter except as to the mandatory or discretionary part. I just want to call the attention of the gentleman to the fact that 95 per cent of the people interested in the apple-box shipments on the Pacific coast, in the intermountain States, and in the East and down in the South, the apple growers are urging this bill, and the only reason why the committee agreed upon the discretionary feature was that we did not want to compel the small raiser, who only ships a few boxes, to come in unless he wanted to. We said to him practically, "Take your dry goods box, or whatever you have in which you can ship your apples. We do not want to compel you to use a uniform box," but we wanted to establish a standard box. If it is used in interstate shipment, if it is used by the general apple grower, the large producer or shipper, he may have his name on the box, and brand it as to the number of apples, the kind of apples, the place where they were raised, that they are free from worms,

free from insects, so that the public may know what they are getting, so that the consumer will not be deceived. The idea was that the little fellow who raised a few boxes of apples need not come under the provisions of the law unless he wanted to. He could get a dry goods box and fill it with apples and sell them if he wanted to.

Mr. DILLON. Will the gentleman yield for a question?

Mr. RAKER. Yes.

Mr. DILLON. Do you favor uniformity in matters of coinage, weights, and measures?

Mr. RAKER. Uniformity is always a fine thing; yes.

Mr. DILLON. Then why do you want a mandatory apple barrel in the East and an optional apple box in the West?

Mr. RAKER. There is a difference between a barrel and a box.

Mr. DILLON. How are you going to get uniformity in this way?

Mr. WEBB. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. DILLON. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, may I have unanimous consent that the bill remain on the calendar as it is?

Mr. DILLON. Mr. Speaker, I think it should be carefully considered by the committee. We have the Senate bill on the calendar, and this bill ought to be given careful consideration, because the question of uniformity is an important one. I therefore object.

The SPEAKER. The gentleman from California asks unanimous consent to pass the bill over without prejudice. Is there objection?

Mr. DILLON. I object.

Mr. FOWLER. Mr. Speaker, on the 5th day of August, 1914, I introduced a resolution to exempt farmers' mutual insurance companies of all kinds from the payment of the penalty provided for in the income provisions of the Underwood tariff bill. In that bill there is a provision requiring all corporations to make a report of their incomes on or before the 1st day of March, 1914. It further provides that a penalty, not to exceed \$10,000, shall be imposed in all cases where such report is not made in accordance with the law. Mr. Speaker, it was not the intention of Congress to tax corporations not engaged in business for profit, neither was it our intention to require them to pay a penalty. This question was freely discussed in the lobbies, and no one ever dreamed of such a thing. The real object of this provision was to reach corporations engaged in business for profit. No corporation without an income is subject to an income tax under this law, and it would be manifestly unjust to require such corporations to pay a penalty for a failure to report what? Nothing; for such corporations have no income to report.

All over the country farmers' mutual fire insurance companies have been organized, not for profit but for protection. All the money they handle comes in by way of assessment in the nature of a tax for the purpose of paying losses sustained by members of such companies. They have no business in the sense of actual business. Theirs is all on paper, mostly in the way of a tax to pay real losses by accident, such as by fire or lightning, and it would be very unjust to make these innocent companies pay a fine for failing to make a report as required by law. I understand that no blank reports were sent to them and no request was made upon them for a report.

Mr. Speaker, I took this question up with the Secretary of the Treasury several days ago, and at first he was inclined to the opinion that the law compelled him to assess a penalty. As a lawyer I have some misgivings as to the power to collect the penalty, because the law partakes of the nature of an ex post facto law, yet I am delighted to know that it is not the intention of the Government to exact it. The Secretary of the Treasury generously and graciously decided—and I think justly so—that for this year no penalty would be exacted from corporations not organized for profit. Mr. Speaker, I received a letter from him a few days ago which I ask to be read for the information of the House, and which I will incorporate in the Record by permission of the House. The Secretary has kindly given permission to use it as I deem proper.

Mr. Speaker, the following is a copy of my resolution, after which will follow a copy of the Secretary's letter:

Joint resolution (H. J. Res. 317) to remit certain penalties against certain insurance companies for a failure to make returns on incomes on or before March 1, 1914, as provided by an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913.

Whereas through misrepresentation and misunderstanding of the income-tax law farmers' mutual insurance companies have failed to make the proper return prior to March 1, 1914: Therefore be it

Resolved, etc., That the penalty provided for an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, for a failure to make the proper return on incomes provided for in said act, be, and the same is hereby, remitted in so far as it affects farmers' mutual insurance companies of every kind and character for the present year, where said returns are completed June 1, 1914, and where the failure to make said returns was not due to a willful intent to violate the provisions of said act.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, August 13, 1914.

TO COLLECTORS OF INTERNAL REVENUE:

The fact has been developed that a great number of individuals and corporations failed to make returns of annual net income for the income tax, either through ignorance of the requirements of the law or through a misunderstanding of its requirements, and it has been determined by the Treasury Department to accept offers in compromise of the specific penalty for failure to file returns within the period prescribed by law in a minimum sum as follows:

Five dollars from individuals; \$10 from corporations which are organized for profit.

In the cases of all corporations not organized for profit the specific penalty will not be asserted this year, provided the required return has been or shall be filed before December 31, 1914. The United States district attorney should be requested not to institute proceedings in such cases.

The foregoing applies only to those cases where there was no intent to evade the law or escape taxation.

In all cases, however, wherein a return is not made until the liability to make a return is discovered by investigation of collectors of internal revenue or revenue agents, the above schedule will not necessarily apply, but each individual case will be decided upon its own merits and the amount of the offer in compromise which may be favorably considered will be determined accordingly.

Respectfully,

ROBT. WILLIAMS, JR.,
Acting Commissioner.

Approved:

W. G. MCADOO,
Secretary.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Platt, one of its clerks, announced that the Senate had receded from its amendment to the bill (H. R. 18202) to provide for the admission of foreign-built ships to American registry for the foreign trade, and for other purposes.

OIL OR GAS LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15661) authorizing the Secretary of the Interior to lease to the occupants thereof certain unpatented lands on which oil or gas has been discovered.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, I will state to the gentleman from Illinois that the gentleman in charge of this bill, Mr. Church, is not well to-day, and I therefore ask unanimous consent that it retain its place upon the calendar.

Mr. MANN. Under the circumstances I shall not object.

The SPEAKER. The gentleman from California asks unanimous consent to pass the bill over without prejudice. Is there objection?

There was no objection, and it was so ordered.

ALCATRAZ ISLAND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether there is any other instance in the Immigration Service where the immigration station is located on an island or elsewhere than on the mainland, except at Ellis Island, N. Y.?

Mr. RAKER. There is the one at Ellis Island, N. Y., the most noted one, and, I suppose, the greatest one in the world.

Mr. STAFFORD. I notice in reading the report that the Commissioner of Immigration, Mr. Caminetti, who certainly is acquainted with conditions in San Francisco, stated that he would much prefer to have the station located on the mainland. I assume that there are economic and administrative reasons which prompted him to make that suggestion.

Mr. RAKER. Oh, no. I have talked with him many times. He appeared before the committee at the time the bill was acted upon, and his statements are that economically the matter would be better handled on this island. To obtain a site on the mainland would cost, possibly, \$500,000.

Mr. STAFFORD. What other site?

Mr. RAKER. A site on the mainland.

Mr. STAFFORD. I said a moment ago that it was Mr. Caminetti. I assumed that the Secretary of Labor, Mr. Wilson, when he wrote this letter to the chairman of the Committee on Military Affairs of the House, was expressing the views of Mr. Caminetti. In that letter he says:

I desire to say, however, that I would have preferred to have seen the new immigration station for the port of San Francisco located upon the mainland, provided that a convenient site was available.

There is available land there. The Government has two large military stations.

Mr. RAKER. It would be an impossibility to get any of the military territory.

Mr. STAFFORD. Oh, an impossibility. The Department of War, now recognizing that, after spending \$500,000 in erecting a prison on Alcatraz Island, it is no longer suitable for that purpose, wishes now to throw the load of it upon the Immigration Service.

Mr. RAKER. Evidently, my friend does not quite understand the situation.

Mr. STAFFORD. I may not quite understand it, but I have some understanding of it.

Mr. RAKER. This is at the entrance of the Golden Gate. It is about a mile and a half from the mainland and a mile and a half from the exposition grounds. It is one of the beauty spots of the bay. The buildings on this island are a beauty spot from any point of view. No one would ever know there was a prison there. These buildings are the best constructed of any buildings that have been constructed by this Government. Every room is separate, with a separate toilet, with separate water, with air circulation to it by a force plant.

Mr. BARTON. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. Is there objection?

Mr. STAFFORD. If the gentleman demands the regular order, I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, as this is the Unanimous Consent Calendar, I ask unanimous consent that my friend from Wisconsin withdraw his objection. We would like to have this plant put into operation.

Mr. STAFFORD. I was proceeding in a regular way in good faith and the gentleman from Nebraska demanded the regular order. If I can not get the information that I desire, I am going to object. I have no objection to the matter going over without prejudice.

Mr. RAKER. No; I will not ask for that.

The SPEAKER. Does the gentleman ask to pass it over without prejudice.

Mr. RAKER. No.

The SPEAKER. Objection has been made.

Mr. RAKER. That is very true, but I ask unanimous consent that I may proceed for two minutes.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for two minutes. Is there objection?

Mr. BARTON. Mr. Speaker, I object.

GLACIER NATIONAL PARK, MONT.

The next business on the Calendar for Unanimous Consent was the bill (S. 654) to accept the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of Montana, approved February 17, 1911, ceding to the United States exclusive jurisdiction over the territory embraced within the Glacier National Park are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecution for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park, and saving further to the said State the right to tax persons and corporations, their franchises and property, on the lands included in said park. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Montana.

Sec. 2. That said park shall constitute a part of the United States judicial district of Montana, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries.

Sec. 3. That if any offense shall be committed in the Glacier National Park, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Montana in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Montana shall affect any prosecution for said offense committed within said park.

Sec. 4. That all hunting or the killing, wounding, or capturing at any time of any bird or wild animal, except dangerous animals when

it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits other than those legally located prior to the passage of the act of May 11, 1910 (36 Stat., p. 354), natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this act and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this act or any rule or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, other than those legally located prior to the passage of the act of May 11, 1910 (36 Stat., p. 354), natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guilpost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the act of May 11, 1910 (36 Stat., p. 354), natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500, or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings.

Sec. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or wild animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

Sec. 6. That the United States district court for the district of Montana shall appoint a commissioner, who shall reside in the park, and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this act.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States district court for the district of Montana, and the United States district court in said district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court.

Sec. 7. That any such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission, within said boundaries, of any criminal offense not covered by the provisions of section 4 of this act, to hear the evidence introduced, and if he is of opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States district court for the district of Montana, and certify a transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Sec. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Montana, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government, or any person employed by the United States in the policing of said reservation, within said boundaries, without process, of any person taken in the act of violating the law or this act, or the regulations prescribed by said Secretary as aforesaid.

Sec. 9. That the commissioner provided for in this act shall be paid an annual salary of \$1,500, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Glacier National Park, at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in sections 11 and 12 of this act.

Sec. 10. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Sec. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States district court for the district of Montana.

Sec. 12. That the Secretary of the Interior shall notify, in writing, the governor of the State of Montana of the passage and approval of this act.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, does this bill do anything except give to the General Government

exclusive jurisdiction over crimes and misdemeanors in the park, a jurisdiction which is now held by the State of Montana?

Mr. STOUT. That is the substance of it, as far as I know, and I have looked it over very carefully. The bill was drawn by the Department of the Interior—

Mr. MANN. I beg the gentleman's pardon.

Mr. STOUT. I mean it was not drawn by the Department of the Interior, but—

Mr. MANN. The Interior Department drew a bill a few years ago which floated around this Congress for several Congresses, which proposed to give a commissioner control and the right to send a man to the penitentiary for several years, and they always drew it that way. They drew the bill that way this time, but fortunately the gentleman's State has a Senator who knows something about the law, and Senator WALSH redrew the bill in the Senate and cut out many of the unconstitutional and contradictory provisions from the bill which the War Department drew.

Mr. STOUT. I accept the correction of the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. STOUT. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Montana asks unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. STOUT, a motion to reconsider the vote by which the bill was passed was laid on the table.

ALCATRAZ ISLAND.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 9017. I have seen the gentleman who objected before, and he has no objection to returning to it.

The SPEAKER. The gentleman from California asks unanimous consent to return to Calendar No. 230, H. R. 9017. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor.

Mr. STAFFORD. Mr. Speaker, has consent been given for its consideration?

The SPEAKER. The gentleman asked unanimous consent to return to the bill, and if that does not mean consideration what does it mean?

Mr. STAFFORD. It simply means to take it up again.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire further. When I was interrupted by the demand for the regular order the gentleman was saying that this building was specially suited, or could be adapted, to an immigration station. I desire to ask the gentleman as to whether there is pressing need for this immigration station now at San Francisco?

Mr. RAKER. There is.

Mr. FITZGERALD. How far is Alcatraz from Angel Island, the other station?

Mr. RAKER. It is about 15 miles.

Mr. FITZGERALD. And it is proposed to maintain two stations?

Mr. RAKER. No, sir.

Mr. FITZGERALD. What is the proposition?

Mr. RAKER. The Angel Island station has a lot of wooden buildings, etc., that it is intended to be turned over to the War Department for health purposes, and we will only maintain Alcatraz Island as a station.

Mr. FITZGERALD. And you turn over Angel Island to the War Department?

Mr. RAKER. If the Health Service desires it. The Angel Island building is now being used for an immigration station. It could be used, but Alcatraz can accommodate them all.

Mr. FITZGERALD. What is the estimate as to the cost of fixing up Alcatraz Island?

Mr. RAKER. Practically an infinitesimal amount.

Mr. FITZGERALD. Where is the statement of any person who knows anything about it to that effect?

Mr. RAKER. Well, the report is in here from the Secretary of War and the Department of Labor that it is only a very small amount.

Mr. FITZGERALD. I will ask the gentleman to have it passed over without prejudice. We have an immigration station there, and I do not think we ought to incur an obligation of \$50,000 when we are going to use—

Mr. RAKER. We are not asking for \$50,000. When Commissioner Caminetti appeared before the committee he said he did not want the money; said he did not need that.

Mr. FITZGERALD. That is what they say when they want legislation, but I know what they say after they get it.

Mr. RAKER. Under the circumstances I ask that the bill be passed without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

PRESENTING THE STEAM LAUNCH "LOUISE" TO THE FRENCH GOVERNMENT.

The next business on the Calendar for Unanimous Consent was the bill (S. 5739) to present the steam launch *Louise*, now employed in the construction of the Panama Canal, to the French Government.

The Clerk read as follows:

Be it enacted, etc., That as a mark of appreciation of the sacrifices and services of the French people in the construction of the Panama Canal, the steam launch *Louise*, built in France in 1885, and employed in the construction of the canal successively by the French Panama Canal Co. and by the United States, be put in good condition and presented to the French Government; and that, in the first formal or ceremonial opening or passage of the canal, the place of honor be accorded to the said steam launch, bearing the flag of the French Republic.

SEC. 2. That the sum of \$6,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of executing this act, to be disbursed by the governor of the Canal Zone.

The committee amendments were read, as follows:

Strike out, page 1, lines 9, 10, 11, and 12, the following: " ; and that, in the first formal or ceremonial opening or passage of the canal, the place of honor be accorded to the said steam launch, bearing the flag of the French Republic."

Strike out all of section 2, as follows:

"That the sum of \$6,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of executing this act, to be disbursed by the governor of the Canal Zone."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I see that the Secretary of War says with reference to that part of the bill which reads "be put in good condition":

In this connection permit me to suggest that the bill or joint resolution, in addition to providing for the transfer, should contain an appropriation of a sufficient fund to cover putting the launch in good condition and delivering her to the French Government.

And, under date of April 16 last, he says:

Referring to previous correspondence in reference to presenting the steam launch *Louise* to the French Government, and particularly to my letter to you dated April 7 last, I now beg to advise you that a cablegram, dated April 15, has been received from Col. Goethals, governor of the Panama Canal, indicating that it is estimated \$6,000 will cover the cost of putting the launch in good condition and delivering her to the French Government, including all expenses connected with the transfer.

Notwithstanding this, the committee proposes to strike out the \$6,000 carried by the bill. How is it possible to put it in good condition without the money? Now, how is the launch to be put in good condition without any money?

Mr. ADAMSON. The gentleman from Illinois will understand that our committee never reports an appropriation if we can avoid it. But inasmuch as at this time all appropriation bills have gone through, I was thinking that the House might vote down that amendment and leave the appropriation in.

Mr. MANN. I am frank to say that I would not consent to the passage of the resolution unless I thought it would carry with it a sufficient appropriation to put the launch in reasonably good condition and pay the expenses of delivering it to the French Government; and we have passed all our general appropriation bills.

Mr. ADAMSON. I think it would be wise for the House to disagree to that amendment of the committee.

Mr. FITZGERALD. Is it the intention to have this launch used for anything? She is 30 years old now.

Mr. ADAMSON. It came over with the acquisition from the French company of the canal. It is a matter of sentiment more than anything else.

Mr. FITZGERALD. The canal authorities have authority under the law to put all these matters in good condition, have they not?

Mr. MANN. I do not think they would have authority to do this.

Mr. FITZGERALD. Why not?

Mr. MANN. Because that is not in connection with the construction, maintenance, or operation of the canal.

Mr. ADAMSON. I suggest, Mr. Speaker, that the House disagree to that amendment striking the appropriation out.

The SPEAKER. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, I wish to reserve the right to object. I was trying to listen to the gentleman from Georgia [Mr. ADAMSON] and the Speaker at the same time.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] reserves the right to object.

Mr. FITZGERALD. I was endeavoring to do so; yes. What I wish to inquire of the gentleman is whether it is the purpose to put this launch into shape to be used? Is it not to be kept more for the historical interest that would be shown in it?

Mr. ADAMSON. I suppose it is the intention to repair it as far as possible in order to put it in presentable shape to be given to the French Government, and not that it is to be used to construct other canals with; but more as a matter of sentiment, as a compliment, to the French people, from whom we acquired it with other property there.

Mr. FITZGERALD. Is the gentleman from Georgia aware of any particular reason why this launch was selected as the peculiar trophy to be presented to France?

Mr. ADAMSON. I think it was selected by the people in charge down there.

Mr. FITZGERALD. No. This originated with the distinguished Senator from my own State.

Mr. ADAMSON. Well, it seems to have received the approval of Col. Goethals.

Mr. FITZGERALD. He was consulted afterwards.

Mr. ADAMSON. All of these things have to have an origin somewhere.

Mr. FITZGERALD. What I desire to know is the peculiar historical significance of the launch *Louise*.

Mr. ADAMSON. The only significance I see about it is that perhaps it is the principal launch the French Government turned over to us that they used during their work on the canal.

Mr. FITZGERALD. The French Government did not turn it over to us at all. It was the property of the old French company. Now, if the gentleman has suggested that the House might disagree to the amendment appropriating the money, I assume if we are going to present this launch to France we ought to put it in decent condition. But how about the other amendment? That is, the gentleman's committee recommends the striking out of the provision that this boat shall be first in the ceremonial opening of the canal.

Mr. ADAMSON. We do not think, even with the high degree of courtesy we feel toward France ourselves, that we should abdicate our right to fix the order of proceeding through the canal.

Mr. FITZGERALD. Will the gentleman insist on the amendment?

Mr. ADAMSON. Yes.

Mr. MANN. Does not our friend from Georgia think that France is having a good deal of trouble just now without giving her this?

Mr. ADAMSON. I was wondering, if the gentleman from Illinois will permit, if we are going to complicate our attitude as to neutrality during the present condition abroad. I do not wish to give offense to any other nation that is in the war with France. I want to disavow any intention of that sort.

Mr. MANN. I was not referring to that. But what on earth will France do with the vessel? If France gave us a vessel of this sort, what would we do with it?

Mr. FITZGERALD. Possibly we would buy a navy yard to put it in.

Mr. ADAMSON. I understand the French Government, as a matter of historical sentiment, expressed not only a willingness to accept it but a desire for it.

Mr. MANN. Oh, no. The French Government was asked whether it would accept a gift of this vessel, and with great politeness which distinguishes that race they said they would be delighted to have the opportunity to accept it. They are a little bit different from us. At the time of the World's Fair at Chicago we had presented to us duplicates of the caravels in which Columbus first discovered America. I do not know just where they are now, but I know that they have been a white elephant on the hands of different societies, municipalities, and so forth, since that time, each one generally trying to unload the preservation and care of these vessels upon some one else. There was a recent controversy about it, but just what became of it I do not know. I do not know what we would do if the French Government gave us a boat that could not be used.

Mr. ADAMSON. We were diplomatic enough to use those vessels in a way so that they did not result in bringing on the Spanish War. I think France could handle it in some way so as not to give offense to us about it.

Mr. WILSON of Florida. Do I understand from the gentleman from Georgia that we are preparing a launch to go through the Panama Canal at the formal opening for a foreign Government, and that the launch is to have the place of honor?

Mr. ADAMSON. If the gentleman so understands, he misunderstands me, Mr. Speaker. We have stricken that provision from the Senate bill. We reserve the right to make our own choice as to the order of procession through that canal.

Mr. WILSON of Florida. Does not the bill state that this ship—

Mr. ADAMSON. If the gentleman will keep it in confidence, I will tell him that some of our own crowd will go through on the first ship. [Laughter.]

Mr. WILSON of Florida. I hope so.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the first amendment. The Clerk read as follows:

On page 1, strike out all of section 1 after the word "Government," in line 9, and all of section 2, on page 2.

Mr. MANN. Mr. Speaker, those are two distinct amendments.

The SPEAKER. Which is the first one?

Mr. MANN. It is specific, section by section.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Strike out all of section 1 after the word "Government" in line 9 of page 1.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amend, page 2, by striking out section 2.

Mr. ADAMSON. That contains the appropriation.

The SPEAKER. That is the one the gentleman wants beaten?

Mr. ADAMSON. Yes; I want to defeat that if I can.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

ENLARGED SITE, PUBLIC BUILDING, PLYMOUTH, MASS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16829) to provide for enlarging the site for the United States building at Plymouth, Mass.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise all the land in the old William Brewster plat still owned by private parties and contiguous to the public-building site now owned by the United States at Plymouth, Mass., and that the total cost of such extension and improvement shall not exceed the sum of \$12,000: *Provided,* That if the land described shall be obtained for less than the amount authorized, the remainder may be used by the Secretary of the Treasury in grading and otherwise improving the same.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, what improvement is contemplated on this enlarged site?

Mr. THACHER. I shall be very glad to give information about this matter. This is in the town of Plymouth, Mass. In the original bill, introduced some years ago, the construction of the post office now going up on the corner of Main and Leyden Streets was authorized. At the time the bill was brought in they ought to have taken in a little more land.

Mr. MANN. Very well.

Mr. THACHER. The town of Plymouth contains from 13,000 to 14,000 inhabitants. It is growing very rapidly. Plymouth Rock, where the Pilgrims landed from the *Mayflower* in 1620,

is about a quarter of a mile away from the site of this post office, which is located at the corner of Leyden Street, which runs from the harbor in a westerly direction, and Main Street, which runs north and south. This is the original plat given to Elder Brewster in 1620, and here he taught religious and civic liberty. Here the post-office building is being erected. At this corner there formerly stood a church, and it was expected that the people who owned this church would move the church to the land now proposed to be acquired. After the Government had acquired the property which they now own the church society decided to move the church to another part of the town. One piece of property now owned by the Government contained a dwelling house, and public-spirited citizens of Plymouth joined together and bought the building at their own expense and moved it away in order that it might not be located on the land now desired to be acquired. The land contains about 7,700 feet in area. As the letter from the Treasury Department, which looks with favor on the proposed legislation, states, it has been necessary to encroach upon the 40-foot fire limit, there being but 24 feet between the post-office building and the boundary.

This property has changed hands recently, and it is very possible that there may be some unsuitable building built close to the post office which would greatly increase the fire risk.

The town of Plymouth has spent about \$47,000 in widening Main Street and building a causeway over the town brook, which is the southern boundary of the land. The town proposes to spend about \$30,000 in widening Main Street north from the post office. Plymouth has been liberal and generous in her expenditures and has shown that she is proud of the building, and I believe is ready to do more. To be perfectly frank, I think the property ought to have been acquired a year or two ago, when the bill was originally brought in.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. THACHER. Certainly.

Mr. MANN. How wide is this strip of land?

Mr. THACHER. I can give you the exact area.

Mr. MANN. The report says the area is 40,000 feet, but that does not mean anything to me.

Mr. THACHER. I beg the gentleman's pardon. It does state in the report that the total area of land acquired and to be acquired will be 40,000 square feet, but that is incorrect. I have the exact figures here. Possibly I am to blame for that incorrectness.

Mr. MANN. Oh, nobody is to blame for errors.

Mr. THACHER. I think I made a mistake last winter. When they asked me, I did not have the figures. I corrected the mistake afterwards. The land proposed to be acquired is 7,700 square feet.

Mr. MANN. How wide is it at this point?

Mr. THACHER. It is 57 feet at this northern line here [indicating].

Mr. MANN. As I understand, the law contemplates 40 feet space for fire protection. The Treasury Department has either violated the law, or else perhaps the law did not apply to this case; but it has encroached upon this fire limit, so that there are now only 24 feet between the building and the outer line—

Mr. THACHER. Yes.

Mr. MANN. Now, you propose to add to that how many feet?

Mr. THACHER. The width of the lot is 57 feet.

Mr. MANN. That would leave a fire space of 81 feet.

Mr. THACHER. I do not think that that is correct.

Mr. MANN. It is if those figures are right.

Mr. THACHER. Fifty-seven is the width of the lot but not the length. Here is about the way it is: As you will see by the map, the Government owns this property in here [indicating], and it is proposed to acquire this property here which runs along Main Street to the town brook. The width of this is 57 feet, and the building comes right close up to this line here.

Mr. MANN. The gentleman will give us all better information if he will throw his map away and describe it to us as it appears to him in his mind's eye. The reason stated in the report is that the acquisition of this land will do away with the probable erection of unsightly buildings in close proximity to the Federal building. Does the gentleman from Massachusetts think we ought to buy all the land around the Federal building for fear somebody will put up an unsightly building?

Mr. THACHER. I will answer that question. It is a little difficult to make the whole thing plain in a few moments. There is a probability that there will be a moving-picture show, or some cheap building, erected there and greatly increase the fire risk. Along here on the opposite side of the town brook

there is a moving-picture show going up. The man who has bought the land has threatened to put up something there. Of course you can disregard that, but if there is to be a moving-picture show there in a cheap wooden building you have the risk of fire.

Mr. FITZGERALD. What is the objection to a moving-picture show? Is it not the most highly educational institution there is in the country to-day?

Mr. THACHER. It will not be a fireproof building.

Mr. MANN. That is a matter to be regulated by the city of Plymouth, whether it is to be fireproof or not. Does the gentleman think, because the city of Plymouth will not make proper regulations about the construction of fireproof buildings, we ought to buy all the property there where they could put up buildings which might burn? Of course the gentleman does not think that. I do not seriously ask him that question.

Mr. THACHER. I do not think it is altogether the moving-picture situation, but I would like to make the matter clear.

Mr. DONOVAN. Mr. Speaker, regular order!

The SPEAKER. The gentleman from Connecticut demands the regular order. The regular order is, is there objection?

Mr. MANN. If I can not get the information I want, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. THACHER. I ask the gentleman if he will not be good enough to allow me time to explain this?

Mr. MANN. I will be glad to give the gentleman plenty of time. He will have to charge it up to the gentleman from Connecticut. He is the one who is interfering with the bill.

Mr. THACHER. I hope the gentleman will withhold that. I ask permission to explain this—

The SPEAKER. But the trouble is, the gentleman from Connecticut seems to stick to his demand.

Mr. THACHER. I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that his bill be passed without prejudice. Is there objection?

There was no objection.

TERMS OF COURT AT ELKINS AND WILLIAMSON, W. VA.

The next business on the Calendar for Unanimous Consent was the bill (S. 5574) to amend and reenact section 113, of chapter 5, of the Judicial Code of the United States.

The bill was read, as follows:

Be it enacted, etc., That section 113 of chapter 5 of the Judicial Code of the United States be amended and reenacted so that the same shall read as follows:

"SEC. 113. The State of West Virginia is divided into two districts, to be known as the northern and southern districts of West Virginia. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Hancock, Brooke, Ohio, Marshall, Tyler, Pleasants, Wood, Wirt, Ritchie, Doddridge, Wetzel, Monongalia, Marion, Harrison, Lewis, Gilmer, Calhoun, Upshur, Barbour, Taylor, Preston, Tucker, Randolph, Pendleton, Hardy, Grant, Mineral, Hampshire, Morgan, Berkeley, and Jefferson, with the waters thereof. Terms of the district court for the northern district shall be held at Martinsburg on the first Tuesday of April and the third Tuesday of September; at Clarksburg on the second Tuesday of April and the first Tuesday of October; at Wheeling on the first Tuesday of May and the third Tuesday of October; at Philippi on the fourth Tuesday of May and the second Tuesday of November; at Elkins on the first Tuesday in July and the first Tuesday in December; and at Parkersburg on the second Tuesday of January and the second Tuesday of June: *Provided*, That a place for holding court at Philippi shall be furnished free of cost to the United States by Barbour County until other provision is made therefor by law: *And provided further*, That a place for holding court at Elkins shall be furnished free of cost to the United States by Randolph County until other provision is made therefor by law. The southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Jackson, Roane, Clay, Braxton, Webster, Nicholas, Pocahontas, Greenbrier, Fayette, Boone, Kanawha, Putnam, Mason, Cabell, Wayne, Lincoln, Logan, Mingo, Raleigh, Wyoming, McDowell, Mercer, Summers, and Monroe, with the waters thereof. Terms of the district court for the southern district shall be held at Charleston on the first Tuesday of June and the third Tuesday of November; at Huntington on the first Tuesday of April and the first Tuesday after the third Monday of September; at Bluefield on the first Tuesday of May and the third Tuesday of October; at Williamson on the first Tuesday of October; at Webster Springs on the first Tuesday of September; and at Lewisburg on the second Tuesday of July: *Provided*, That a place for holding court at Webster Springs shall be furnished free of cost to the United States: *And provided further*, That no court shall be held at Williamson until a suitable building for the holding of said court shall have been provided.

With the following committee amendment:

Page 3, line 12, after the word "further," strike out the words "That no court shall be held at Williamson until a suitable building for the holding of said court shall have been provided" and insert in lieu thereof the following: "That a place for holding court at Williamson shall be furnished free of cost to the United States by Mingo County until other provision is made therefor by law."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. WEBB, a motion to reconsider the last vote was laid on the table.

PUBLIC LANDS TO DENVER, COLO., FOR PARK PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15533) granting public lands to the city and county of Denver, in the State of Colorado, for public park purposes.

The Clerk read the title of the bill.

Mr. TAYLOR of Colorado. Mr. Speaker, there is a duplicate of this bill, passed by the Senate, which is on this same calendar, Calendar No. 270, S. 5197, with a report, No. 989. I would like to have that considered instead of the House bill. I ask unanimous consent—

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to consider Senate bill 5197, Calendar No. 270, in lieu of House bill 15533, Calendar No. 235, being identical in text. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell and convey to the city and county of Denver, a municipal corporation in the State of Colorado, for public park purposes, and for the use and benefit of said city and county, the following-described land, or so much thereof as said city and county may desire, to wit:

All lands now belonging to the United States of America herein-after described, to wit:

In township 4 south, range 70 west, sixth principal meridian: South half section 32.

In township 5 south, range 70 west, sixth principal meridian: Northwest quarter of northwest quarter section 4; southwest quarter of northeast quarter, south half of southwest quarter, section 10; west half of northwest quarter, west half of southwest quarter, section 14; east half of northeast quarter, southwest quarter of northeast quarter, northeast quarter of southeast quarter, section 20; northeast quarter of northeast quarter section 28; northeast quarter of southeast quarter section 34.

In township 6 south, range 70 west, sixth principal meridian: West half of southeast quarter, east half of southwest quarter, section 3; northeast quarter of northwest quarter section 7; northwest quarter of southwest quarter section 10; east half of northeast quarter, northeast quarter of northwest quarter, northwest quarter of southwest quarter, section 17.

In township 4 south, range 71 west, sixth principal meridian: Southeast quarter of northwest quarter, southwest quarter, section 2; east half of southeast quarter section 4; south half of northwest quarter, northwest quarter of northwest quarter, west half of southwest quarter, section 30; southwest quarter of northeast quarter, west half of northwest quarter, southeast quarter of northwest quarter, section 31.

In township 5 south, range 71 west, sixth principal meridian: Southeast quarter of southwest quarter section 5; south half of northeast quarter, southeast quarter, north half of southwest quarter, southwest quarter of southwest quarter, section 7; northwest quarter, northeast quarter of southwest quarter, section 8; east half of southwest quarter section 9; northeast quarter of southeast quarter section 12; north half of northeast quarter, southeast quarter of southeast quarter, section 14; northeast quarter, southeast quarter, east half of northwest quarter, southwest quarter of northwest quarter, southwest quarter, section 15; northwest quarter of northeast quarter section 18; west half of northeast quarter section 24; southeast quarter of southeast quarter section 25; northwest quarter of northeast quarter section 26; south half of southeast quarter section 35.

In township 6 south, range 71 west, sixth principal meridian: North half of northeast quarter, north half of northwest quarter, southwest quarter of northwest quarter, south half of southwest quarter, northwest quarter of southwest quarter, section 1; southeast quarter of northeast quarter, east half of southeast quarter, section 2; northwest quarter of northwest quarter, northeast quarter of southwest quarter, section 10; northeast quarter of northeast quarter, south half of northwest quarter, section 11.

In township 4 south, range 72 west, sixth principal meridian: Southeast quarter of southeast quarter, northwest quarter of southeast quarter, section 21; south half of northeast quarter, southeast quarter, south half of northwest quarter, south half of southwest quarter, section 22; southeast quarter, southwest quarter, section 23; southeast quarter of southeast quarter, south half of southwest quarter, northwest quarter of southwest quarter, section 24; east half of northeast quarter, east half of southeast quarter, southwest quarter of southeast quarter, northeast quarter of northwest quarter, southeast quarter of southwest quarter, section 25; northwest quarter of northeast quarter, northwest quarter of northwest quarter, section 26; north half of northeast quarter, southwest quarter of northeast quarter, north half of northwest quarter, southeast quarter of northwest quarter, northeast quarter of southwest quarter, section 27; east half of northwest quarter, south half of southwest quarter, section 28; southwest quarter of southeast quarter, north half of northwest quarter, southeast quarter of northwest quarter, section 33; southwest quarter of southwest quarter section 34.

In township 5 south, range 72 west, sixth principal meridian: South half of northeast quarter, northwest quarter of northeast quarter, north half of southeast quarter, northwest quarter, north half of southwest quarter, section 3; northeast quarter, north half of southeast

quarter, southeast quarter of northwest quarter, southeast quarter of southwest quarter, section 4; east half of southeast quarter, section 12. Total, 7,047 acres, more or less.

SEC. 2. That the conveyance shall be made of the said lands to said city and county of Denver by the Secretary of the Interior upon payment by the said city and county for the said land, or such portions thereof as it may select, at the rate of \$1.25 per acre, and patent issued to said city and county for the said land selected, to have and to hold for public park purposes, and that there shall be excepted from the grant hereby made any lands which at the date of the approval of this act shall be covered by a valid, existing, bona fide right or claim initiated under the laws of the United States: *Provided*, That this exception shall not continue to apply to any particular tract of land unless the claimant continues to comply with the law under which the claim or right was initiated: *Provided*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the land so granted and all necessary use of the land for extracting same: *Provided further*, That said city and county shall not have the right to sell or convey the land herein granted, or any part thereof, or to devote the same to any other purpose than as before described, and that if the said lands shall be used for any purpose other than public park purposes the same, or such parts thereof so used, shall revert to the United States.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object—

Mr. MANN. Reserving the right to object, I should like to ask one question. I see that the House bill was amended by the committee so as to make the city pay the Government price for this land, upon a part of which the Government price is \$2.50 an acre. I suppose the same recommendation was made to the Senate committee; but that is not the way the Senate bill is.

Mr. TAYLOR of Colorado. Identically the same recommendation was sent to the Senate committee that was sent to the House committee, but the Senate felt, inasmuch as the land was of no value, or if there was any value it was reserved to the Government, that \$1.25 an acre was as much as we have been making any other city pay anywhere for any Government land, so they made it at the flat rate of \$1.25 an acre. At that rate it makes the city pay \$10,000.

Mr. MANN. I suppose that was the gentleman's own proposition in the committee? The House committee reported the bill in that way.

Mr. TAYLOR of Colorado. Yes; the House committee reported it in that way; that is true.

Mr. MANN. Of course, it is not always possible to tell just what the land is worth. I notice in the report of the Secretary of the Interior upon this bill that he says the purpose of it is largely to protect the timber thereon, and then the committee says that there is no timber on it worth protecting. There is a difference of opinion. I do not know which is correct.

Mr. TAYLOR of Colorado. Mr. Speaker, the Forest Service in the Interior Department sent a man out there who went all over this, a Mr. Marshall. He made an elaborate report upon it, and while there is considerable scrub cedar there, and it does to a certain extent help to beautify the territory, at the same time it is not what you would call merchantable timber at all, and if it was not protected the people would go up there and cut it into firewood or into fence posts, and destroy it.

Mr. MANN. They have not yet.

Mr. TAYLOR of Colorado. No. They have been trying to keep them off there. The gentleman knows that this is all withdrawn from all forms of entry by President Taft.

Mr. MANN. At the gentleman's request?

Mr. TAYLOR of Colorado. Yes. I have been trying to assist the city of Denver in getting these foothills there which you can see from the city of Denver for quite a number of miles off as a city outing place, with drives and parks. I have been assisting them for a number of years in that. The Interior Department and the Forest Service and the public generally have been favorable to the measure. In view of Denver being our capital and a resort place, and in view of the fact that hundreds of thousands of people go there in the course of a year, they would like to have some place to drive up into the mountains, and this is to encourage them in preserving what timber and scenery there are there as a park for the public.

Mr. SELDOMRIDGE. Mr. Speaker, will the gentleman yield to me?

Mr. TAYLOR of Colorado. Yes.

Mr. SELDOMRIDGE. Mr. Speaker, I am familiar with the land in question. It lies to the west of the city of Denver, in the foothills, and the purpose of the park is to provide several miles, some fifty-odd or more, of automobile roads that would carry the spectator in a series of winding ascents gradually up the mountain, in order to afford a magnificent view of the plain. The land is absolutely of no account for cultivation, and I doubt very much if there is any considerable amount of timber upon it, but it will give to the city of Denver a magnificent mountain park and a large and splendid view of all of that region and the country around about.

Mr. TAYLOR of Colorado. I will say that there is no merchantable timber, because this being right there within the city of Denver, and it has been a city for 40 years, if there was merchantable timber up there of any value it would have been cut off long ago. It has been cut off and burned over. I am referring to merchantable timber, of course. There is small timber there.

Mr. MANN. I suppose there is a good deal of white birch growing up there.

Mr. TAYLOR of Colorado. No.

Mr. MANN. Oh, it grows all over that country.

Mr. SELDOMRIDGE. Oh, the gentleman is mistaken.

Mr. TAYLOR of Colorado. We felt that in paying \$1.25 an acre for it we would be paying enough, but I said to the House committee that if the House insisted upon our paying \$2.50 an acre, of course there is some of it there that we would have to pay that for, but I think the Senate has passed the bill in proper form.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Colorado asks unanimous consent to consider the bill in the House as in the Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend section 2 of the bill, page 5, line 17, by striking out the words "grants hereby made" and inserting in lieu thereof the words "sales hereby authorized."

Mr. TAYLOR of Colorado. Mr. Speaker, I accept that amendment.

The SPEAKER. The Clerk will report the amendment of the gentleman from Illinois.

The Clerk read as follows:

Page 5, line 17, strike out the word "grant" and insert the word "sale"; and strike out the word "made" and insert the word "authorized."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

The similar House bill, H. R. 15533, was ordered to lie on the table.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

SILETZ INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill H. R. 15803, to amend an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to authorize the sale of certain lands belonging to the Indians of the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910, be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

"SEC. 3. That the proceeds derived from the sale of any lands hereunder, after reimbursing the United States for the expenses incurred in carrying out the provisions of this act, shall be paid, share and share alike, to the enrolled members of the tribe."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I see that the committee did not agree with the department, and I think we ought at least to have a statement of the situation.

Mr. HAWLEY. Mr. Speaker, when this reservation was opened, the Government reserved five sections of land and certain lands around the present town site from the grant of lands by the Indians to the Government. These were reserved for the benefit of the Indians. The act of 1910, passed later, provided that the lands should be sold and that the money should be used for school purposes. These Indians have their lands in severalty, and they are taxpayers on the rolls of Lincoln County, in which this reservation is located. They aid in the support of the county schools and attend the county schools, and the county officials and the patrons of the schools are anxious for them to do so. There are 14 county schools within the bounds of the reservation. Therefore it is unjust to the Indians, on the one

hand, to use this money derived from the sale of five sections for school purposes, when they already contribute a very large amount to the maintenance of the county schools and are acceptable students in the county schools and are taxpayers. Second, there is no necessity for it.

The department in its recommendation desired, as it generally does, to retain the money of the Indians in its own hands, but these Indians have their lands in severalty. I have seen a number of their houses and farms, and they are endeavoring to become useful citizens of the United States and to support and maintain themselves. They are well liked by the people of the county and they take part in the county fair, which is supported in part by the State. And it is the general opinion there that it will be good for the Indians that they no longer be held in tutelage by the Government and their moneys withheld from them, but that their moneys be paid directly to them. The money received from the Government when the reservation was opened was paid over to the Indians. A number of these Indians have used their money upon their lands and in buying stock; some of the older Indians still have part of their shares in money, and there is no reason I nor anyone knowing anything of the facts can see why the Indians should not be given this money and let it be used for their benefit and improvement. They are self-supporting people now.

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. With pleasure.

Mr. STAFFORD. How many Indians are there?

Mr. HAWLEY. Four hundred and thirty-four in all, as I remember.

Mr. STAFFORD. What is the value of these lands, or the amount likely to accrue from the sales of these lands?

Mr. HAWLEY. I can only estimate it. There are 3,200 acres, and they should be worth, I should think, as timberland, in part at least, probably \$150,000.

Mr. STAFFORD. Is it timberland?

Mr. HAWLEY. Yes.

Mr. STAFFORD. Is there any water power?

Mr. HAWLEY. If there is any water power, this does not change the act referred to. Section 2 reserves all water power.

Mr. STAFFORD. This bill proposes, as I understand, to sell all the lands that have not heretofore been sold.

Mr. HAWLEY. The act of May 13, 1910, reserves all water power. This proposes, instead of appropriating the money or using the money to maintain schools, that the Indians be given their own money.

Mr. STAFFORD. In the report of the Secretary there is the statement from the Government superintendent that they are not in a very flourishing condition, and upon that report the Secretary recommends that this fund should not be mandatorily paid to members of the tribe, but be placed in the discretion of the Secretary of the Interior so they may expend it for the benefit of the Indians. It is stated here—and the gentleman is well aware—that they have not very much stock on their property, and that it would be to their interest to have the Government purchase breeding stock and purchase other stock so as to care for and advance the welfare of the Indians.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. STAFFORD. I will be glad to do so.

Mr. BURKE of South Dakota. In the opinion of the committee these Indians, as stated by the gentleman from Oregon, are self-supporting, voters and taxpayers in the State of Oregon, and apparently abundantly able to take care of and manage their own affairs; but we believe that it would be much better for them to take the proceeds from the sale of these lands—it is the last matter, I understand, between them and the Government—and get away from the supervision of the Government. Now, the gentleman knows that it is the policy of every bureau of this Government to retain and withhold power and supervision, and especially if there is any money, this superintendent, who the gentleman says has reported against this matter, would deposit this money in banks and pay it out to the Indians, and the Indians would have to come to him, hat in hand, when they wanted anything, and that increases his importance, and so forth, and it seems to me that the action of the committee is thoroughly justified and would be better than to follow the suggestion of the superintendent.

Mr. STAFFORD. To my mind the question is not whether it increases the importance of the superintendent, but what is best for the Indians.

Mr. DONOVAN. Mr. Speaker, regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. STAFFORD. If the gentleman is going to—

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill. There is nothing else to do that I know of.

The SPEAKER. But the gentleman from Oregon was up asking unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

Mr. MANN. But there may be debate wanted on the bill. If we are to be shut off from our right to debate, there are other ways in which we can get it. That is all.

The SPEAKER. The gentleman from Oregon arose prior to the gentleman from Illinois and asked unanimous consent to consider this bill in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15803.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15803, with Mr. Moss of Indiana in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15803, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15803) to amend an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with, it having been read in the House.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. DONOVAN. I object.

The CHAIRMAN. The gentleman from Connecticut [Mr. DONOVAN] objects, and the Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 15803) to amend an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910.

Be it enacted, etc., That section 3 of an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910, be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

"Sec. 3. That the proceeds derived from the sale of any lands hereunder, after reimbursing the United States for the expenses incurred in carrying out the provisions of this act, shall be paid, share and share alike, to the enrolled members of the tribe."

Mr. MANN. Mr. Chairman, I ask for recognition. For how long am I recognized?

The CHAIRMAN. The gentleman is recognized for one hour.

Mr. MANN. I shall not take the time, although I could use the hour in discussing the bill, and take a great deal longer in that way for the consideration of the bill than by the reasonable method of reserving the right to object which Members have, and endeavoring to learn in regard to the bill under the reservation. The consideration of these bills by unanimous consent must necessarily be by unanimous consent, and anybody can throw a monkey wrench into the machinery. It does not require intelligence. It does not require discrimination—

Mr. DONOVAN. Mr. Chairman—

Mr. MANN. Considering what I was just saying, I yield to the gentleman from Connecticut.

Mr. DONOVAN. Mr. Chairman, I make the point that there is no quorum present.

Mr. MANN. That satisfies me.

The CHAIRMAN. The gentleman from Connecticut [Mr. DONOVAN] makes the point of no quorum. The Chair will count. [After counting.] Sixty-six gentlemen are present, not a quorum. The Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Aiken	Beall, Tex.	Calder	Crosser
Ainey	Bell, Ga.	Callaway	Dale
Anthony	Borland	Campbell	Danforth
Aswell	Brockson	Cantor	Decker
Austin	Browne, Wis.	Carlin	Dickinson
Baker	Browning	Carr	Dies
Baltz	Bruckner	Casey	Dixon
Barehfeld	Bulkley	Chandler, N. Y.	Doolling
Barkley	Burke, Pa.	Clark, Fla.	Driscoll
Bartholdt	Burnett	Cramton	Dunn
Bartlett	Byrnes, S. C.	Crisp	Eagle

Elder	Hughes, Ga.	Madden	Sabath
Esch	Hughes, W. Va.	Mahan	Saunders
Estopinal	Hullings	Maher	Seldomridge
Fairchild	Igoe	Manahan	Sherley
Faison	Johnson, Ky.	Martin	Shorwood
Farr	Johnson, S. C.	Merritt	Shreve
Fields	Jones	Metz	Sisson
Finley	Kahn	Montague	Slomp
Flood, Va.	Kennedy, Conn.	Moore	Smith, Md.
Fordney	Kennedy, R. I.	Morgan, La.	Smith, N. Y.
Foster	Kent	Morlin	Stanley
Francis	Key, Ohio	Mott	Steenerson
Frear	Kiess, Pa.	Murray, Okla.	Stephens, Miss.
Gard	Kindel	Neeley, Kans.	Stephens, Nebr.
Gardner	Kinkaid, N. J.	Neely, W. Va.	Stephens, Tex.
George	Kirkpatrick	Nelson	Stout
Gill	Knowland, J. R.	Oglesby	Stringer
Gillett	Konop	O'Hair	Switzer
Gittins	Kreider	O'Leary	Talbot, Md.
Godwin, N. C.	Lafferty	Padgett	Talbot, N. Y.
Goeke	Langham	Palmer	Taylor, Ala.
Goldfogle	Langley	Parker	Townsend
Gorman	Lazaro	Patten, N. Y.	Treadway
Graham, Ill.	Lee, Ga.	Patton, Pa.	Underhill
Graham, Pa.	L'Engle	Payne	Vare
Griest	Lenroot	Peters	Vollmer
Griffin	Leshner	Peterson	Walker
Gudger	Levy	Platt	Wallin
Hamill	Lewis, Pa.	Plumley	Walsh
Hamilton, Mich.	Lieb	Porter	Walters
Hamilton, N. Y.	Lindbergh	Post	Watkins
Hammond	Lindquist	Powers	Weaver
Hardwick	Linthicum	Rainey	Whaley
Harris	Logue	Rauch	Whitacre
Hayes	Loneragan	Reed	Willis
Helvering	McAndrews	Riordan	Winslow
Henry	McClellan	Roberts, Mass.	Woodruff
Hobson	McGillendy	Rothermel	Woods
Howard	McGuire, Okla.	Ruby	Young, N. Dak.
Hoxworth	McKenzie	Rupley	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. Moss of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill (H. R. 15803) to amend an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910, and finding itself without a quorum, he had caused the roll to be called, whereupon 227 Members had responded to their names, and he presented therewith a list of absentees for publication in the Record and in the Journal.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee, having under consideration House bill 15803, found itself without a quorum, and under the rule he had caused the roll to be called, whereupon 227 Members—a quorum—had responded to their names, and he presents a list of absentees for publication in the Record and the Journal. The committee will resume its sitting. The committee resumed its session.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, how much of my time had I used?

The CHAIRMAN. The gentleman from Illinois used five minutes.

Mr. MANN. Oh, Mr. Chairman, I am sure that I did not use more than a minute. However, I will not quarrel over the odd four minutes. I had not expected to have such a large audience upon this very important bill, relating to the Siletz Indian Reservation, but owing to the enthusiasm and courtesy of my friend from Connecticut [Mr. DONOVAN], he insisted upon the Members coming here to listen. [Laughter.]

I do not intend to consume the time allotted to me, Mr. Chairman, although here is a bill that ought to have consideration, and that was receiving reasonable and proper consideration in the House under the right reserved to object, and before anybody had any opportunity to learn anything about the bill the regular order was demanded. I observed that anyone can throw a monkey wrench into the machinery in regard to unanimous consent, but it does not follow therefore that every monkey ought to throw a wrench. [Laughter.]

Mr. Chairman, I reserve the balance of my time.

Mr. STAFFORD. Mr. Chairman, when I was proceeding in order during the consideration of this bill under the reservation of an objection, the question was asked of a member of the committee as to whether this bill would surrender the water-power privileges on this reservation and cause them to be sold. The gentleman of whom I made the inquiry informed me—and I know he informed me in the best of faith—that that provision was not included in this bill and was provided for in the foregoing provision. On referring to the original act—and I wish to direct his attention to it—I find that provision is made for the reservation of these water powers in the section to be amended. The bill under consideration repeals section 3 of the act that was passed on May 13, 1910, which act per-

mitted the sale of certain lands on the Siletz Indian Reservation. In section 3—and I wish to direct to the especial attention of the gentleman from South Dakota [Mr. BURKE] the phraseology as found in the original act—

That when such lands shall be surveyed and platted they shall be appraised and sold, except such lands as are reserved for water-power sites, as provided in section 2 of this act.

Under the proposed bill we are proposing to repeal that section and substitute new language entirely, without any reservation whatever as to water-power sites; and under my construction—and I believe it is a reasonable construction, and I crave the attention of others members of the Committee on Indian Affairs, and I see before me my friend from Oklahoma [Mr. CARTER] who is always watchful of the interests of the Indians—we will be subjecting these water-power sites to sale.

This is not a little proposition. This is a matter involving hundreds of thousands of dollars. The Secretary of the Interior recommends that this fund be reserved for the benefit of the Indians; but here we have the Indian Committee departing from the recommendation of the Secretary of the Interior and saying that the fund should be turned over absolutely to the Indians. The report, containing the letter of the Secretary of the Interior, shows that these Indians are in rather destitute circumstances.

I do not charge any bad faith to the gentleman from Connecticut [Mr. DONOVAN], who tried to foreclose reasonable consideration of this bill, and I do not say that he wittingly had any disposition to have this bill rushed through the House and thereby jeopardize the interests of the Indians.

Mr. Chairman, when bills are reported here in the House affecting the interests of the Indians it is too frequently the case that their interests are not properly safeguarded. Only three years ago Congress passed the bill which it is proposed to amend, and it was then the deliberate judgment of this House that the funds from certain lands should be reserved for the benefit of the Indians. Here we have the report of the Secretary of the Interior recommending that though these lands be sold the funds be reserved for their benefit. The report says these Indians are in destitute circumstances; that they have only 3 bulls, 138 cows, and a very few chickens and sheep. The Secretary of the Interior recommends that these funds be utilized for the benefit of the Indians themselves. The gentleman from South Dakota [Mr. BURKE] says that it is not advisable to reserve these funds any longer, but that we should go contrary to the judgment of the Secretary of the Interior and parcel out this money piecemeal to the respective Indians.

But there is more than that. These are valuable forest lands, with valuable water powers contained on them. The Indians are entitled to those water powers. That valuable franchise should not be sacrificed by selling them to some private interests. When it is sacrificed and the money deposited in the hands of the Indians, we who have some knowledge of the history of moneys furnished to the Indians know that their money goes rapidly, and the Indians are left a charge upon the people of the community.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. STAFFORD. I will gladly yield.

Mr. BURKE of South Dakota. If the gentleman will read the statute on page 367, section 3, I will state to him that it was the intention of the committee to have section 3 read exactly as it reads in the statute down to the word "domain," and then after that comes the language that is in this bill as section 3. I do not know how the mistake occurred, but the report fails to show what the committee intended should be done. It was not intended to leave out the first four lines of section 3 as they appear in the statute.

Mr. STAFFORD. If the gentleman will permit me to ask him a further question: If it is the intention to reserve the water powers on these lands for the benefit of these Indians, why should not the lands themselves be reserved for their benefit? What reason for the haste? What is the need of it? These lands were sold only three years ago, and the Indians received the returns. Why should we proceed now to sell the remaining lands and divide up the money?

Mr. BURKE of South Dakota. The act of 1892 provided for the sale of all of the lands belonging to the Indians except about five sections, which were reserved. The 1910 act authorized the sale of the lands reserved and they might have been already sold. This bill simply provides that the proceeds directed by the 1910 act to be used for educational purposes shall be paid to the Indians. The bill does not change the law a particle in any other particular, and I call the attention of the gentleman to section 2, which is in no way changed, which expressly provides that the water-power sites shall be reserved.

The committee did not intend, and it is not the purpose of this bill, to change the act of May 18, 1910, at all, except to provide that certain moneys received from the sale of the lands shall be paid to the Indians instead of expended for educational purposes, when there are public schools provided by taxation and the Indians are contributing as taxpayers toward the maintenance and support of the schools.

Mr. STAFFORD. But if this bill is passed and these lands are sold, and there are no qualification as to the use of these funds, the Indians will have no other lands remaining except their own allotments that they received under the original law.

Mr. BURKE of South Dakota. They are self-supporting, and they are full citizens of the State of Oregon. They are taxpayers and voters, and it is not the function of the Government to supervise the affairs of its citizens. If the Indians should not use the money properly and should become paupers, it would be up to the State of Oregon to take care of them.

Mr. STAFFORD. In the State of Michigan and other States they have become public charges; but these Indians are still our wards. They still have property.

It is their property which we wish to safeguard, and you are proposing by this bill to go contrary to the recommendation of the Secretary of the Interior, which is to hold the funds for their benefit. You are proposing to have the money parceled out when we know it will not remain very long in their possession. Personally I would much rather follow the recommendation of the Secretary of the Interior and have these proceeds reserved for the benefit of the Indians. What objection can there be? We know they need attention. Why should we throw them upon the mercies of the public when in only a few years they will again become public charges and perhaps paupers?

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MILLER. Mr. Chairman, I simply want to ask the gentleman if in his opinion it is not a wiser policy to give the Indian his property just as far as he is able intelligently to handle it rather than to keep it in our possession and dole it out to him bit by bit?

Mr. STAFFORD. When it is shown, as it is shown in this case, that these Indians are not capable of protecting themselves, not able to make their own livelihood, then I say such property as remains in the hands of the Government should be retained and paid out piecemeal for their benefit.

Mr. MILLER. If the gentleman has correctly stated the situation, I am sure that the conclusion he reaches is correct; but I do not think that he will find in the report the premise that these Indians are not capable of taking care of their own property for themselves.

Mr. STAFFORD. I think that is the fair inference from the report of the Assistant Secretary.

Mr. MILLER. The report is rather silent upon that. The gentleman from Oregon [Mr. HAWLEY] had personal information about these Indians, which he communicated to the committee, and that, in addition to other information, convinced us that these Indians were rather advanced, speaking of Indians generally, in their capacity to handle their own affairs, and that it would be extremely unwise to keep such a little bit as this is and not pay it out to them.

Mr. STAFFORD. But this would mean several hundred dollars per Indian.

Mr. MILLER. We thought it would be better to give it to them rather than keep the proceeds, so that they could purchase additional stock.

Mr. STAFFORD. The department wishes to purchase it for them, so that they can not waste these funds.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. HAWLEY. If the Indian is not capable of managing his affairs in the purchase of his stock, then if the department should purchase a fine bull or a horse, he would sell it the minute he got it, would he not?

Mr. STAFFORD. Then the whole policy of the Interior Department is at fault. We have been passing any number of bills here granting power to the department to purchase supplies for Indians upon the idea that it will be conserved after it has been transferred to the Indians themselves, but here we have a report which positively states that they have not any great quantity of stock, very little poultry, and it was a reasonable inference, reading that letter of the Assistant Secretary that they are in rather destitute circumstances and need protection.

I reserve the balance of my time.

Mr. HAWLEY. Mr. Chairman, in reference to the matter of the first part of section 3, it was not the intention of anyone to eliminate the first four lines, as given in the Revised Statutes,

and I am going to move, when the bill comes up for consideration under the five-minute rule, that the first four lines of that section be restored, that only the part of the section be changed which pays the money to the Indians directly instead of leaving it in the hands of the department to parcel it out to them as its agent may see fit. The lands of the former Siletz Indian Reservation were bought by the United States from the Indians about 20 years ago, in round numbers, and the lands then reserved from that transfer are the lands now under consideration. I see the act is dated 1892. The money was distributed to the Indians very shortly after the ratification of the treaty, which was within a few years later. The Indians used that money after they received their allotments for the building of barns and houses and fences and the purchase of stock. They have maintained themselves now for nearly 20 years in very comfortable circumstances. I have been on the reservation and have seen some of the houses and the farms. They are learning to farm. They are proud of the fact that they are making their way alongside of the white man, who bought the lands that were sold or disposed of in the reservation.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. CARTER. Is it not a fact that these particular Indians are not as a class stock raisers, but are more agriculturists?

Mr. HAWLEY. The gentleman is right about that, and I was coming to that. I do not know at what time of the year the gentleman who made this report to the department made it. They sell at certain periods of the year, when the market is right, the surplus stock on the land. It may have been that that was done immediately before this man made this report. As a usual thing they "run" a few stock, but they are mostly agricultural, as I understand. The lands are very valuable for agricultural purposes, although they do raise some stock, and in contradistinction to what the gentleman from Wisconsin [Mr. STAFFORD] has said, I know that for nearly 20 years these Indians have made a good and sufficient living on the lands allotted to them, and, in fact, many of them have a part of the original amount paid to them by the Government for the land. Now, there is no reason why the money should not be paid to them. It was reserved in the original bill because it was thought it was necessary for school purposes. The Indians are taxpayers and voters. These children attend the public schools, which they help to maintain with their taxes. Everybody is satisfied with the arrangement, and the department itself requests that the money be no longer held for school purposes, but that it shall be devoted to the buying of stock for the Indians. Now, if the department is to hold this money and buy stock for the Indians, it must keep an account with each separate Indian, because each Indian under the original act is entitled to share and share alike.

If he is entitled to \$300 or \$400 the department must keep an account with each Indian. It must buy for each Indian so much stock, and when it runs up to that amount it must quit. Those who are capable of handling their stock and using it wisely will apply for the money to be used in buying of the stock, and they would use the money themselves if they had it for the buying of stock, and if there is any Indian so careless that he would not apply for the purchase of stock he would not get the money, and if the Government reserves the money for the purchase of stock and then an Indian is entitled to \$300 and comes and says that he wants to buy some cows or some sheep or hogs, immediately after the Government has purchased them and put them on the land they belong to him and he can sell them. Why not give the money to them directly and save the expense of the Government in buying, and handling all this money, and save to the Indians the cost which would be taken out by the Government for the administration and handling of this money?

Mr. MILLER. Will the gentleman yield for a question?

Mr. HAWLEY. With pleasure.

Mr. MILLER. Has the gentleman given consideration as to whether or not a large part of this might be used in the expense of administration by the department handling the money in the purchase in the way in which he indicates?

Mr. HAWLEY. Unless the money was appropriated otherwise—and there is no other money appropriated, I think—the expenditures would probably be paid out of this sum and a considerable portion of their fund used for administration. The moneys received formerly by these Indians from the sale of the Siletz Reservation have been as wisely used as any body of men and women would have used them, and the moneys to be received from the sale of these reserved lands likewise will be well used, and better, I think, as the Indians have had more experience. I never heard that the moneys formerly received were taken by white or other adventurers from the

Indians at the Siletz Reservation. It is a community of agricultural people. It might have been said that the former moneys should have been left in the hands of the department to be expended by the department for the Indians. But the wiser course was at that time pursued, and in the light of the experience we have had of these Indians there is no reason why that course should at this time be changed. The moneys derived from the sale of these reserved lands should be given to the Indians enrolled as members of the tribe, share and share alike. It was formerly so done, and it proved the best thing that could have been done. I reserve the balance of my time.

Mr. CARTER. Mr. Chairman, I am sorry I was detained by a subcommittee meeting when this bill first came up, and therefore have not heard all of the discussion. I see, however, that my good friend from Wisconsin [Mr. STAFFORD] was on the job, and, as usual, was looking out for the protection of the Indian. In a general way, Mr. Chairman, I want to say in a treatment of the Indian question many of us fall into the error of viewing the Indian as a narrow or distinct type. There are as many different kinds of Indians as there are different kinds of white men. There are stock-raising Indians and nonstock-raising Indians. There are agricultural Indians and nonagricultural Indians. There are smart Indians and dull Indians. There are industrious Indians and lazy Indians. The difficulty with our system is that we have tried to narrow it down to a certain type and bring all Indians within its restricted scope. We are dealing here with a number of Indians who, from representations made before our committee, were shown to be self-supporting, self-sustaining Indians, ready to take upon themselves the full responsibilities of United States citizenship, ready to accept everything that may come to them, ready to merge into a general citizenship and make their own way. There is nothing so calculated to discourage initiative character in a man as too much paternalism. I believe that the non-competent Indian should be protected, but I believe that a distinction should be made between the incompetent and the competent Indian, and that as soon as an Indian becomes competent, as soon as he reaches the point of intelligence at which he can care for himself, any further attempt to supervise his actions or supply his wants simply stimulates indolence and destroys such initiative character as we have been able to build up.

Mr. COOPER. Will the gentleman yield for an interruption?

Mr. CARTER. I will.

Mr. COOPER. I notice that the First Assistant Secretary of the Interior recommends that these words be inserted:

In the discretion of the Secretary of the Interior may be paid to or expended for the benefit of the Indians entitled thereto, in such manner and for such purposes as he may prescribe.

Now, he would leave it to the Secretary of the Interior to ascertain whether some of these Indians were competent to take care of the money and expend it discreetly, and he would leave it to the Secretary of the Interior, if they were not so competent, to expend it for them.

Mr. CARTER. Mr. Chairman—

Mr. COOPER. But if you hand it all over to them, they are going to lose it.

Mr. CARTER. I have not any objection, Mr. Chairman, to that language going into this bill if this House thinks it is necessary after what has been said. But I repeat here that we have a class of Indians who, it was represented to our committee by everyone, including the gentleman from Oregon [Mr. HAWLEY], and I think by the department, were competent to accept the responsibilities of citizenship. It may be possible that there one or even a dozen are not competent, but where can you show me a community of white people in this country in which everyone is competent to take care of everything that comes into his hands. I would dislike to have that rule applied to myself at times.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. CARTER. Certainly.

Mr. BURKE of South Dakota. The gentleman from Oklahoma may overlook the fact that these lands were authorized to be sold originally in 1892. The money was paid to the Indians—the proceeds received from those sales. The allotments, instead of being allotments as ordinarily, were restricted. They have fee title to their land.

Mr. CARTER. I was going to get to that.

Mr. BURKE of South Dakota. They are citizens in every sense. They are in no way restricted Indians.

Mr. CARTER. They have fee patents now to their lands and titles to those lands, and are paying taxes upon them. If the Indian is competent to take care of his land and make his living upon it, having a full fee title to it, and does not dispose of it, or takes care of the funds for which he might dispose of that land, it occurs to me there is very little in the conten-

tion that he might not be able to take care of the funds that might be handed to him by the Federal Government.

Now, Mr. Chairman, I want to get back to the point I was just discussing, which is this: There is nothing on the face of the earth that will make a man dependent any more than for him to think that away out in the future he may have some money coming to him whenever he may call on the Secretary of the Interior. My notion is that this money should be paid over to these people, because they are competent to handle it, and they should not be expecting that the Federal Government is going to do something for them in the future. If they are citizens, let us make them citizens in fact. Let us make them citizens to all intents and purposes. Let us put all the responsibilities upon them and give them all the privileges.

Mr. MILLER. Will my colleague on the committee yield for a question?

Mr. CARTER. I yield.

Mr. MILLER. Would it be the Secretary of the Interior himself or an agent of the Indian Office somewhere out in Oregon who would determine whether or not to pay the money to the Indians, or whether or not to divide things for them or what should be bought?

Mr. CARTER. It would necessarily be an agent, or more likely a clerk in the agency office. Neither the Secretary, the Indian Commissioner, nor any one in the Indian Office here would be likely to see this Indian. If these Indians are similar to some of the Indians with whom I have come in contact, some of them may have earning capacities of \$2,000 or \$3,000 per year. Under the proposed suggestion this man would probably have some clerk passing on his competency whose salary does not exceed \$1,200 or \$1,500 per annum.

Mr. MILLER. May I ask one more question?

Mr. CARTER. I will be glad to yield.

Mr. MILLER. Would it be to the personal interest of the agent or not to retain just as much a supervision and control over these Indians as he could?

Mr. CARTER. The gentleman from Minnesota and myself have had some experience along that line, and we know that just as you solve an Indian problem, just as you place an Indian on his responsibilities and remove departmental supervision from him, just that fast you cut off somebody's salary; just that moment must the pay roll be cut down, because there are less men to be supervised, and I want to say frankly and candidly that I have not always seen any very urgent tendency on the part of the employees of any bureau to cut down pay rolls and abolish jobs. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to authorize the sale of certain lands belonging to the Indians of the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910, be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

"Sec. 3. That the proceeds derived from the sale of any lands hereunder, after reimbursing the United States for the expenses incurred in carrying out the provisions of this act, shall be paid, share and share alike, to the enrolled members of the tribe."

Mr. HAWLEY. Mr. Chairman, I move to amend, in line 9, by inserting after the words "Sec. 3" the following.

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

Mr. HAWLEY. The language offered to be inserted is the language of the original act.

The Clerk read as follows:

Page 1, line 9, after the words "Sec. 3," insert the following: "That when such lands are surveyed and platted they shall be appraised and sold, except lands reserved for water-power sites, as provided in section 2 of this act, under the provisions of the Revised Statutes covering the sale of the town sites located on the public domain."

Mr. HAWLEY. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oregon [Mr. HAWLEY].

The amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise.

Mr. STAFFORD. Mr. Chairman, pending that, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 2, after the word "act," strike out the remainder of the paragraph and insert the following: "in the discretion of the Secretary of the Interior, may be paid to or expended for the benefit of the Indians entitled thereto in such manner and for such purposes as he may prescribe."

Mr. STAFFORD. Mr. Chairman, just a word. This amendment is the recommendation of the Secretary of the Interior, that these funds shall be placed in his hands and parceled out to the Indians as he may deem best for their welfare. I have already spoken in favor of the amendment in general debate, and I do not propose to consume the time of the committee longer.

Mr. BURKE of South Dakota. Mr. Chairman, I hope the amendment will not prevail. The department simply suggests that some of the funds might be very profitably utilized for industrial purposes, and therefore proposes that the bill be amended.

Now, there is no case, I may say, where the Indians are not restricted, where the Government attempts to withhold and supervise the payments of money due them.

Mr. FITZGERALD. How many of these Indians are there?

Mr. BURKE of South Dakota. About 400.

Mr. FITZGERALD. How much money is involved?

Mr. BURKE of South Dakota. It will not exceed \$150,000.

Mr. HAWLEY. It may not run that much. That is an outside figure.

Mr. FITZGERALD. How much would that be apiece?

Mr. STAFFORD. About \$400.

Mr. FITZGERALD. These Indians have about 116 or 120 head of cattle, all told—those 400 Indians?

Mr. BURKE of South Dakota. They have more than that.

Mr. FITZGERALD. The Secretary of the Interior states the number.

Mr. MANN. They have 3 bulls and 138 cows and heifers.

Mr. FITZGERALD. That is near enough. I said 120. They may have 150.

Mr. BURKE of South Dakota. I will say to the gentleman that these are not restricted Indians.

Mr. FITZGERALD. I do not care anything about that. We are responsible, and everybody knows that if we give this money to the Indians the white sharps out there will have it inside of six months.

Mr. BURKE of South Dakota. That was not the way with the money that was paid to these Indians 20 years ago under the act of 1892.

Mr. FITZGERALD. They have not very much to show for it.

Mr. CARTER. Let me suggest to the gentleman from New York that these Indians are competent Indians. If he will give them this \$400 apiece he may not have to complain of their having so little stock in the future.

Mr. FITZGERALD. How much do we appropriate for the support of the Siletz Indians?

Mr. CARTER. Nothing at all.

Mr. FITZGERALD. I mean these Indians affected by this bill.

Mr. CARTER. Those are the Siletz Indians.

Mr. FITZGERALD. Do we not provide schools for them?

Mr. CARTER. No, sir. The intention was that these funds should be used for schools, but the Indians have advanced to such an extent that their children are all now in the public schools. They are taxpayers. They own their titles in fee to their land and they have not sold of it, which is a pretty good guaranty of their business qualifications.

Mr. FITZGERALD. This money is only the proceeds of the sale of the lands that were reserved for the purpose of establishing day schools, is it not?

Mr. CARTER. No, sir.

Mr. HAWLEY. The lands were not reserved for that purpose.

Mr. CARTER. The lands were sold, but the proceeds were to be reserved.

Mr. FITZGERALD. For the establishment of schools?

Mr. HAWLEY. Not originally.

Mr. FITZGERALD. And the department states that there are public schools in which these Indians are and can be educated. Now, what other moneys are derived from the sale of these lands besides this sum? Provision is made for the sale of the land and the proceeds are to be reserved for education, proceeds to which they are entitled and which they will receive.

Mr. HAWLEY. I think they are entitled to all of it.

Mr. FITZGERALD. No. One hundred and fifty thousand dollars is the amount of the proceeds from the sale of the land,

which money was utilized for school purposes. How much other money are they to get from the sale of these lands?

Mr. HAWLEY. When the reservation was first opened the Government paid them share and share alike, as provided in this bill.

Mr. FITZGERALD. How much did it amount to?

Mr. HAWLEY. I do not have the figures in mind. I think it ran from \$150,000 to \$200,000.

Mr. FITZGERALD. Are they an agricultural people?

Mr. HAWLEY. They are an agricultural people. They have their lands in fee simple. They live on their lands. They have farms, houses, and barns, and they have improved their lands. They get most of their living from the land.

Mr. FITZGERALD. Did they get that money in 1892?

Mr. HAWLEY. I think the transfer was made about 1894 or 1895.

Mr. FITZGERALD. An agricultural people having \$150,000 or \$200,000 distributed among them 22 years ago now have to show for it 150 head of cattle of all kinds, a decided illustration of their ability to care for themselves.

Mr. HAWLEY. I can show you farms in Oregon that are worth \$100,000 on which there is not a head of stock.

Mr. CARTER. These Indians used most of their money in improving their farms, and I understand their farms are in a very good, improved state, when you consider that they are Indian farmers.

Mr. FITZGERALD. The gentleman from Oklahoma, the gentleman from Oregon, and the gentleman from South Dakota represent districts in which there are Indians—

Mr. CARTER. And therefore we ought not to be believed on any Indian question.

Mr. FITZGERALD. They represent, not the Indians, but the white men who have been despoiling them for years, and these gentlemen are always in favor of turning the money over to the Indians without any control or reservation.

Mr. CARTER. Mr. Chairman, the gentleman has not any warrant on earth for making any such statement as that.

Mr. FITZGERALD. Oh, yes, I have. I have served in this House some time.

Mr. CARTER. Yes; the gentleman has served in this House, but he can not point to anything which warrants such a statement as that. The trouble with the gentleman from New York is that his knowledge and experience with Indians is confined to one tribe, and that is the tribe of Tammany.

Mr. FITZGERALD. Mr. Chairman, for the benefit of the gentleman from Oklahoma I will say that I served six years on the Indian Committee, and I have visited Indian reservations in the gentleman's own State. I asked where I could find Indians in the most primitive condition, the most backward, the most unprogressive, and I was sent into the gentleman's State. I have seen how the Indians there were treated by the rapacious white men who have been robbing them every time and ever since they have had the opportunity. The Osage Indians at that time owed \$400,000 to the thieving traders. The gentleman knows that.

Mr. CARTER. I do not know what the gentleman is talking about.

Mr. FITZGERALD. I know it. There were 1,800 Indians owing between \$400,000 and \$500,000 to traders.

The CHAIRMAN. The gentleman from Oregon [Mr. HAWLEY] has the floor.

Mr. FITZGERALD. I was asking him a question.

Mr. HAWLEY. I want to say only a word in answer to what has been said. The Indians received this money, that received from the sale of the general reservation, share and share alike, in what they call the great distribution. They were allotted their lands in fee simple. They used the money to build houses, other buildings, and fences on their lands, and those improvements went immediately on the tax roll of the county. For a period of years they have been supporting themselves. They have raised stock and sold it. They have raised crops and sold them. They are not on the pay roll of the Government. The reserved lands now to be sold were lands reserved for certain purposes, not originally for school purposes, and were reserved in the original act ratifying the treaty. The moneys derived from their sale were set aside for school purposes in the act passed about four years ago, but there is no reason why it should be set aside for school purposes, because the Indians are taxpayers and voters, citizens of Lincoln County, and have paid their proportion of taxes, and more than their proportion in some instances, because they have more money than the whites who have just recently settled on the outside lands, and who have no money with which to begin to make their improvements, and whose entries are not yet perfected and so are not taxable. Their children are going to the public schools. Now,

they need this money to add to their buildings, or for fencing, or other improvements, or for stock, and for other purposes, and the money belongs absolutely to them. They have demonstrated their capacity to care for themselves. I ask for a vote, and I hope the amendment of the gentleman from Wisconsin will be voted down.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Certainly.

Mr. NORTON. How many Indians are there?

Mr. HAWLEY. Four hundred and thirty-four.

Mr. NORTON. Does that include the children?

Mr. HAWLEY. Of these, 67 are children of school age.

Mr. NORTON. The report or letter of the First Assistant Secretary speaks of the superintendent in charge. Is there a Government superintendent in charge?

Mr. HAWLEY. He is in charge of certain intestate estates over there, if I remember correctly, and some business connected with minors, but not in charge of the Indians.

Mr. NORTON. He is not in charge of the schools there?

Mr. HAWLEY. There are no Government schools there. These Indians go to the public schools of Lincoln County. There are 14 of these public schools in the reservation.

Mr. NORTON. Supported by the county?

Mr. HAWLEY. Yes.

Mr. NORTON. And the superintendent has no charge over the Indians?

Mr. HAWLEY. Excepting the minor matters that I have mentioned. And I wish to emphasize the fact that I never heard that adventurers of any kind obtained the moneys, or any part of them, that were distributed in the original distribution of moneys received from the sale of the reservation to the Government. If there had been flagrant actions of that sort, I am sure I would have heard of them.

Mr. DONOVAN. Mr. Chairman, I heard my name mentioned a few moments ago by the gentleman from Wisconsin [Mr. STAFFORD] and again by the gentleman from Illinois [Mr. MANN]. It is immaterial to me what the gentleman from Illinois may have stated, but I understood the gentleman from Wisconsin to state that I had tried to defeat or interfere with the passage of this bill. Of course that statement is not true, Mr. Chairman, in any sense.

Mr. STAFFORD. Oh, far from stating anything of that kind—

Mr. DONOVAN. I understood the gentleman to say that.

Mr. STAFFORD. Oh, no. If the gentleman will permit, I will disabuse his mind entirely of any idea that I made any such charge. What I did say was that the gentleman by reason of his obstructionist tactics was seeking to prevent the information being disclosed that would safeguard the Indians.

Mr. DONOVAN. Obstructionist tactics? I wish to deny that as well. Mr. Chairman, this afternoon and last Friday afternoon there seems to have been a concerted action to talk against time. A simple bill comes up, and the Speaker asks if there is objection to its consideration. They take up half an hour, and at the end of that time, as a rule, object, after hearing themselves talk for half an hour. This bill was a simple thing, and after they had talked for about 15 minutes I rose and addressed the Chair and called for the regular order. That is not obstruction. It calls for business, and business only, and now the gentleman says that that is obstruction. With his intelligence, and the number of years that he has been here, it does him harm. He understands the meaning of the word "obstruction." Calling for the regular order calls for action, instead of delay and filibustering. Last Friday two or three over there on the Republican side were filibustering all of the time for the purpose of defeating bills that were not in sight nor up for action.

As to the animus and the objectionable part of it, as it appears in the mind of the gentleman from Illinois [Mr. MANN], I have nothing whatever to say. He drivels and he loves to wallow in that kind of drivel. He loves to wallow, and his tongue is only at home when he is abusing somebody. They have all had a taste of it, and most of them run to cover after the style of a Shanghai rooster in the barnyard. But I welcome any of his attacks. I welcome any of his abuse at any time or under any circumstances. I can stand the drivel at all times, Mr. Chairman, but I have never taken any part in any legislative proceedings here except for the purpose of expediting business, or for the purpose of fair play, or for the purpose of honest performance of duty.

Mr. FITZGERALD. Mr. Speaker, I hope the amendment of the gentleman from Wisconsin [Mr. STAFFORD] will be agreed to.

This bill was referred to the Department of the Interior, which made a report upon it. In the report attention is called to the fact that the superintendent in charge among these Indians has heretofore suggested to the Indian Office the advisability of

purchasing breeding stock and material for improvement and advancement of the fruit industry. He states that it is very probable that some of the funds in question might be very profitably utilized for industrial improvements. Therefore the department suggested the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD], to insert a provision that in the discretion of the Secretary of the Interior the money may be paid to the Indians entitled thereto or expended for their benefit in such manner and for such purposes as the Secretary of the Interior may prescribe. This money comes from the sale of lands, the proceeds of which were reserved for the purchase of sites for schools and the erection of the necessary school buildings thereon.

At present it appears there are ample public schools in which these Indians are being educated, so that it is not necessary to reserve the proceeds of these lands for the purchase of school sites and the erection of school buildings. The department suggests, however, that hereafter a situation may arise where that may be necessary. From this report it appears evident that the superintendent among the Indians has heretofore suggested to the department, in effect, that an appeal be made to Congress for a gratuity appropriation in order to provide the necessary stock, implements, and improvements necessary to make the Indians self-sustaining and prosperous. Attention is called to the fact that there is a considerable amount of grazing land in the hills which belongs to them. Comment is made upon the fact that the amount of cattle is comparatively small for 300 Indians. The bill as reported provides for the payment of this \$150,000 outright to these Indians, share and share alike. The amendment of the gentleman from Wisconsin proposes that this money shall either be paid to the Indians or be expended for their benefit, in the discretion of the department. Under the bill as now before the House, it makes no difference whether the Indians be incompetent or worthless or even not industrious, they will get their pro rata of payment and some of them will squander it.

If the amendment proposed by the gentleman from Wisconsin be adopted, the industrious, competent, capable Indian undoubtedly, as the practice of the department has been under such legislation, will have paid to him the money to be utilized in the manner best for himself or for his own interests, while the shares of the incompetent or thriftless, instead of being turned over to them to be squandered, will be expended by the department for their benefit and in their interest. What excuse can there be to turn this \$150,000 over to these Indians indiscriminately, regardless of their capacity? Why not do what the department suggests, put it in the discretion of the department? It has the information which we have not, to determine whether to expend the money or to pay it out as the case of each individual Indian may demand. Why turn it over to be squandered by the thriftless and to be utilized by the industrious? Why not see that the entire amount is expended in a manner that will best advance and promote their interests? We maintain the great Department of the Interior, with a great Indian Office, for the purpose of protecting the Indians, keeping them from becoming a charge upon the taxpayers of the United States, conserving their property, and looking after the proper expenditure of their funds. Why not abolish the office and turn all of the enormous sum now in the Treasury over to them, regardless of their capacity? That is what is proposed in this case. The administration suggests that the money be placed under the care and scrutiny of the administration officials, so that the obligation of the Government as a trustee and a guardian of the Indians may properly be performed and the money expended for their benefit. I hope the amendment of the gentleman from Wisconsin will be adopted.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed with amendment bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 1698. An act to amend an act entitled "An act to provide for an enlarged homestead and acts amendatory thereof and supplemental thereto"; and

H. R. 11745. An act to provide for the certificate of title to homestead entry by a female American citizen who has intermarried with an alien.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5673) to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of

the United States, or their successors in interest," approved March 2, 1911.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 65. Joint resolution to amend S. J. Res. 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States."

SILETZ INDIAN RESERVATION.

The committee resumed its session.

Mr. CARTER. Mr. Chairman, I move to strike out the last word of the amendment.

The CHAIRMAN. The Chair will call the attention of the committee to the fact that all debate is exhausted on this amendment. The question is on the amendment—

Mr. CARTER. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes.

Mr. CARTER. Mr. Chairman, I withdraw the request.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and the Chairman announced the yeas seemed to have it.

Upon a division (demanded by Mr. STAFFORD), there were—ayes 21, noes 27.

So the amendment was rejected.

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Moss of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15803, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. HAWLEY. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The SPEAKER. The gentleman from Oregon moves the previous question and amendment to final passage.

The question was taken, and the Speaker announced the yeas seemed to have it.

Mr. FITZGERALD. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 40, noes 7.

Mr. FITZGERALD. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order there is no quorum present.

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

The question was taken, and the Speaker announced that the yeas seemed to have it.

On a division (demanded by Mr. FITZGERALD) there were—ayes 25, noes 27.

Mr. FITZGERALD. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] demands tellers.

The question was taken, and tellers were refused.

The SPEAKER. The vote is—ayes 25, noes 27; and the House declines to adjourn.

Mr. FITZGERALD. Mr. Speaker, were there not enough Members to order tellers?

Mr. MANN. It takes one-fifth of a quorum to order tellers.

The SPEAKER. It takes one-fifth of a quorum.

Mr. MANN. And here we are because of the brilliant leadership on your side of the House.

Mr. DONOHUE. Mr. Speaker—

Mr. MANN. I make the point of order that the gentleman from Pennsylvania can not be recognized.

The SPEAKER. The Chair was just going to tell him that.

Mr. UNDERWOOD. Mr. Speaker, I think it is apparent that we can not get a quorum here to-night. I renew the motion that the House do now adjourn.

Mr. MANN. Mr. Speaker, I make the point of order the motion is not in order.

The SPEAKER. Why not?

Mr. MANN. The House has just voted down a motion to adjourn.

The SPEAKER. That is true; but there is only one of two things to do.

Mr. MANN. There has been no business transacted since.

The SPEAKER. We can not transact business without a quorum, and there are only two motions that can be entertained. One is a motion to adjourn and one is for a call of the House. The Chair recognizes the gentleman from Alabama to make a motion to adjourn.

Mr. MANN. I make the point of order, Mr. Chairman, that the motion to adjourn, just having been voted down, can not be renewed at once without something else having transpired.

Mr. UNDERWOOD. Mr. Speaker, I do not know of any ruling that does not authorize a motion to adjourn to be made immediately after the defeat of another one, except on a proposition as to whether the motion is dilatory. If the gentleman wants to make that point of order, it is for the Speaker to determine whether my motion is dilatory or not.

Mr. MANN. Mr. Speaker, I will withdraw the point of order, in view of the great leadership shown on that side of the House before the gentleman from Alabama [Mr. UNDERWOOD] came in. They do not know whether they are in or not; they do not know whether or not they are in the city.

ADJOURNMENT.

The SPEAKER. The question is on the motion to adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned until Tuesday, August 18, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Yalobusha River, Miss., up to Grenada (H. Doc. No. 1145); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Grand River, Mich. (H. Doc. No. 1146); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GRIEST: A bill (H. R. 18397) to provide for the erection of a public building at Columbia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WEBB: A bill (H. R. 18398) for the purchase of a site and the erection of a public building at Morganton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. FALCONER: A bill (H. R. 18399) providing for relief of settlers on unsurveyed railroad lands; to the Committee on the Public Lands.

By Mr. DETRICK: A bill (H. R. 18400) prohibiting the acceptance of any unreasonable prices for any goods, wares, merchandise, or products of the soil or mines; to the Committee on the Judiciary.

Also, a bill (H. R. 18401) regulating the exportation of goods, wares, merchandise, or products of the soil or mines; to the Committee on the Judiciary.

By Mr. BELL of California: A bill (H. R. 18402) to provide for the erection of a public building at Long Beach, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. BRITTEN: Resolution (H. Res. 595) authorizing the Secretary of State to communicate with the Japanese Government that the United States views with concern the issuance of its ultimatum to Germany; to the Committee on Foreign Affairs.

By Mr. McKELLAR: Joint resolution (H. J. Res. 322) to amend Senate joint resolution 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States"; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 18403) granting a pension to Charles E. Faux; to the Committee on Pensions.

By Mr. BAILEY: A bill (H. R. 18404) granting a pension to Sara Gates; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 18405) to correct the military record of Thomas J. Corriell; to the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 18406) granting a pension to Annie Fredericka Pope Bowles; to the Committee on Pensions.

By Mr. HOBSON: A bill (H. R. 18407) granting an increase of pension to James Wiginton; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 18408) granting an increase of pension to George Ulmer; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 18409) granting a pension to Ella E. Swift; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 18410) granting a pension to Ellen T. Harris; to the Committee on Pensions.

Also, a bill (H. R. 18411) granting an increase of pension to Frank R. Porter; to the Committee on Pensions.

Also, a bill (H. R. 18412) granting an increase of pension to James Blackburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18413) granting an increase of pension to James H. McPherson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18414) granting an increase of pension to Robert Farmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18415) granting an increase of pension to Isaac Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18416) granting an increase of pension to William Forgy; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Memorial of the Chamber of Commerce, Cincinnati, Ohio, approving amendment to the law limiting liability of vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMILTON of New York: Petition of sundry citizens of Tunesassa, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. HINDS: Petitions of sundry citizens and church organizations of the State of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of the executive committee of the Chamber of Commerce of Washington, D. C., protesting against the passage of Senate bill 1624, regulating the construction of buildings along alleyways in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGUIRE of Nebraska: Petition of various business men of Murray, Nebr., favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. O'LEARY: Petitions of sundry citizens of Queens County, N. Y., protesting against national prohibition; to the Committee on Rules.

By Mr. TREADWAY: Memorial of the Pittsfield (Mass.) Board of Trade, opposing legislation affecting American business; to the Committee on the Judiciary.

SENATE.

TUESDAY, August 18, 1914.

(Legislative day of Tuesday, August 11, 1914.)

The Senate reassembled at 11 o'clock a. m. on the expiration of the recess.

Mr. REED. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Smith, Ga.
Borah	Hitchcock	O'Gorman	Smoot
Brady	James	Overman	Sterling
Bryan	Johnson	Penrose	Stone
Burton	Jones	Perkins	Thomas
Camden	Kenyon	Pittman	Thornton
Chamberlain	Kerr	Polindexter	West
Clark, Wyo.	Lane	Pomeroy	White
Culberson	Lea, Tenn.	Reed	Williams
Cummings	McCumber	Shafroth	
Dillingham	Martine, N. J.	Sheppard	
Gallinger	Myers	Simmons	

Mr. BRYAN. My colleague [Mr. FLETCHER] is necessarily absent. He is paired with the Senator from Wyoming [Mr. WARREN]. I will let this announcement stand for the day.

Mr. MARTINE of New Jersey. I beg to state that the junior Senator from Mississippi [Mr. VARDAMAN] is detained from the Senate on official business.